

Northampton County Reporter

(USPS 395-280)

VOL. LIX

EASTON, PA February 2, 2017

NO. 57

**Cecelia Cousins, Plaintiff v. Luis D. Rivera and 123 Horns LLC c/o United States
Corporation Agents, Inc. and John Silvestera and Sarah Silvestera and
City of Bethlehem, Defendants**

CONTENTS

Audit—Orphans' Court.....	10	Limited Liability Company Notices	10
Associate and Legal Secretary Positions Available	32	Notice of Annual Meeting.....	9
Bar News.....	3	Notice of Incorporation	9
Certificate of Authority Notices.....	10	Notice of Nonprofit Incorporation.....	9
Estate and Trust Notices	4	Press Release From Senator Casey and Senator Toomey	31
Fictitious Name Registration Notice	9	Of-Counsel Notice.....	12
Legal Notices.....	11	Sheriff's Sales.....	12

INSERT: Blue: 1. PA CLE Requirements

2. 2017 Calendar

3. BarBuddies

4. NCBA/Miller Keystone Blood Center Blood Bank Program

NOTICE TO THE BAR...

**Federal Vacancies: U.S. Attorney and U.S. Marshal in
Pennsylvania.**

Press release from Senator Casey and Senator Toomey. See
page 31.

**NORTHAMPTON COUNTY BAR ASSOCIATION
2017 BAR ASSOCIATION OFFICERS**

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The Northampton County Reporter will be published every Thursday by the Northampton County Bar Association, 155 South Ninth St., Easton, PA 18042-4399. All legal notices relating to the business of the county, are required by rule of Court, to be published in this Journal. All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser. Neither the Law Reporter nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes to content.

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Ralph J. Bellafatto, Esquire
Editor

NOTICE TO NCBA MEMBERS – BAR NEWS

IN MEMORIAM

Thomas J. Fischer, Esquire

Admitted to Northampton County Bar: October 1973 • Died: January 24, 2017

A mass of Christian Burial was celebrated January 30, in Notre Dame Church, Bethlehem.

Memorial contributions may be sent to:

Notre Dame Church, 1865 Catasauqua Road, Bethlehem, PA 18017
or Alzheimer's Association, 399 Market Street, #102, Philadelphia, PA 19106.

Federal Vacancies – U.S. Attorney and U.S. Marshal in Pennsylvania

Press release from Senator Toomey and Senator Casey.

See page 31.

Barristers Boast

Have you received an honor or award for community work? Do you have a new grandchild? Have you heard good news about one of your NCBA colleagues that should be shared?

Good news items about fellow members should be sent to:
marybeth@norcobar.org.

In three words I can sum up everything I've learned about life: it goes on.
~ Robert Frost

ESTATE AND TRUST NOTICES

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

FIRST PUBLICATION**BEAHN, MAE I.,** dec'd.

Late of the Borough of Nazareth, Northampton County, PA
Executor: Kenneth A. Beahn c/o Alfred S. Pierce, Esquire, Pierce & Steirer, LLC, 124 Belvidere Street, Nazareth, PA 18064
Attorneys: Alfred S. Pierce, Esquire, Pierce & Steirer, LLC, 124 Belvidere Street, Nazareth, PA 18064

ECKROTH, FLOYD D., JR., dec'd.

Late of Danielsville, Northampton County, PA
Executor: David R. Eckroth c/o William J. Fries, Esquire, The Atrium, 2895 Hamilton Boulevard, Suite 106, Allentown, PA 18104
Attorney: William J. Fries, Esquire, The Atrium, 2895 Hamilton Boulevard, Suite 106, Allentown, PA 18104

HAJDU, LOUIS, dec'd.

Late of Palmer Township, Northampton County, PA

Co-Executors: Elizabeth J. Hajdu, Camille Ann Hajdu Kenyon and Brian W. Hajdu c/o Timothy J. Duckworth, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770

Attorneys: Timothy J. Duckworth, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770

KENNEDY, PIETA V., dec'd.

Late of Nazareth, Northampton County, PA
Executrix: Renata MacDonald c/o Karl H. Kline, Esquire, Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219
Attorneys: Karl H. Kline, Esquire, Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219

LANDIS, CLARA M., dec'd.

Late of Bethlehem, Northampton County, PA
Executor: Kerry J. Landis c/o Daniel G. Dougherty, Esquire, 881 3rd St., Suite B-3, Whitehall, PA 18052
Attorney: Daniel G. Dougherty, Esquire, 881 3rd St., Suite B-3, Whitehall, PA 18052

NATVIG, KATHARINE M., dec'd.

Late of Bethlehem, Northampton County, PA
Executor: Johan Martin Natvig c/o Sarah M. Andrew, Esquire, Schoffstall Elder Law, 2987 Corporate Court, Suite 200, Orefield, PA 18069

Attorneys: Sarah M. Andrew, Esquire, Schoffstall Elder Law, 2987 Corporate Court, Suite 200, Orefield, PA 18069

RICCI, GLORIA J., dec'd.

Late of Palmer Township, Northampton County, PA

Gloria J. Ricci Revocable Trust Dated February 28, 1994, As Amended and Restated

Trustees: Pamela R. Weiland and Debra L. Ricci c/o Timothy J. Duckworth, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770

Attorneys: Timothy J. Duckworth, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770

ROSSNAGLE, ROGER, dec'd.

Late of Plainfield Township, Northampton County, PA

Administratrix: Justina A. Rossnagle c/o R. Nicholas Nanovic, Esquire, Norris, McLaughlin & Marcus, P.A., 515 W. Hamilton Street, Suite 502, Allentown, PA 18101

Attorneys: R. Nicholas Nanovic, Esquire, Norris, McLaughlin & Marcus, P.A., 515 W. Hamilton Street, Suite 502, Allentown, PA 18101

STAPLES, BARBARA A., dec'd.

Late of the Borough of Bangor, Northampton County, PA

Executor: Robert J. Staples c/o Gregory R. Reed, Esquire, Attorney-at-Law, 141 South Broad Street, P.O. Box 299, Nazareth, PA 18064-0299

Attorney: Gregory R. Reed, Esquire, Attorney-at-Law, 141 South Broad Street, P.O. Box 299, Nazareth, PA 18064-0299

VanBILLIARD, DONNA, dec'd.

Late of Washington Township, Northampton County, PA

Executrix: Vicki Liberto, 515 Crystal Cave Road, Kutztown, PA 19530

Attorneys: Lee A. Conrad, Esquire, Thomas, Conrad and Conrad, 2550 Brodhead Road, Bethlehem, PA 18020

WAGNER, JANET L. a/k/a JANET LEE WAGNER, dec'd.

Late of Northampton, Northampton County, PA

Administrator: Tyrone Deutsch c/o Lisa A. Pereira, Esquire, Broughal & DeVito, L.L.P., 38 West Market Street, Bethlehem, PA 18018

Attorneys: Lisa A. Pereira, Esquire, Broughal & DeVito, L.L.P., 38 West Market Street, Bethlehem, PA 18018

SECOND PUBLICATION

ARZOUMANIAN, MILDRED D. a/k/a MILDRED DYKE, dec'd.

Late of Forks Township, Northampton County, PA

Administrator: Steven B. Molder, Esquire, 904 Lehigh St., Easton, PA 18042.

Attorney: Steven B. Molder, Esquire, 904 Lehigh St., Easton, PA 18042.

BACHMAN, EVELYN B. a/k/a EVELYN I. BACHMAN a/k/a EVELYN IRENE BACHMAN, dec'd.

Late of the Township of Lower Saucon, Northampton County, PA

Executor: Ronald D. Bachman c/o Mark P. Albright, Esquire, 403 Main Street, Hellertown, PA 18055-1721

Attorney: Mark P. Albright,
Esquire, 403 Main Street, Heller-
town, PA 18055-1721

BUCK, LUCY K. a/k/a LUCY

KATHRYN BUCK, dec'd.

Late of the Township of Plainfield,
Northampton County, PA

Executrix: Kathryn L. Gilbert c/o
Gary Neil Asteak, Esquire, 726
Walnut Street, Easton, PA 18042
Attorney: Gail Neil Asteak,
Esquire, 726 Walnut Street,
Easton, PA 18042

FRANTZ, CASSANDRA H., dec'd.

Late of the Township of Upper
Nazareth, Northampton County,
PA

Executrix: Christine Seyfried, 53
Newport Ave., Nazareth, PA
18064

Attorneys: Peters, Moritz, Peischl,
Zulick, Landes & Brienza, LLP, 1
South Main Street, Nazareth, PA
18064

HAHN, LESTER J., dec'd.

Late of the City of Bethlehem,
Northampton County, PA

Executrix: Janet L. Prevelige c/o
Robert V. Littner, Esquire,
Littner, Deschler & Littner, 512
North New Street, Bethlehem, PA
18018

Attorneys: Robert V. Littner,
Esquire, Littner, Deschler &
Littner, 512 North New Street,
Bethlehem, PA 18018

MAXWELL, WILSON G. a/k/a

WILSON GREGORY MAXWELL,
dec'd.

Late of the City of Bethlehem,
Northampton County, PA

Executrix: Shaunna M. Maxwell
c/o Karl F. Longenbach, Esquire,
425 West Broad St., P.O. Box
1920, Bethlehem, PA 18016-
1920

Attorney: Karl F. Longenbach,
Esquire, 425 West Broad St.,
P.O. Box 1920, Bethlehem, PA
18016-1920

MORRELL, ELIZABETH A. a/k/a
ELIZABETH A. GEIGER
MORRELL, dec'd.

Late of Nazareth, Northampton
County, PA

Administrator: Edgar W. Geiger,
Sr. c/o Ralph J. Bellafatto,
Esquire, 4480 William Penn
Highway, Easton, PA 18045

Attorney: Ralph J. Bellafatto,
Esquire, 4480 William Penn
Highway, Easton, PA 18045

RONCO, ANGELINE L., dec'd.

Late of the City of Bethlehem,
Northampton County, PA

Executor: Edmund J. Ronco c/o
Robert V. Littner, Esquire,
Littner, Deschler & Littner, 512
North New Street, Bethlehem, PA
18018

Attorneys: Robert V. Littner,
Esquire, Littner, Deschler &
Littner, 512 North New Street,
Bethlehem, PA 18018

SMITH, AGNES M., dec'd.

Late of Bethlehem, Northampton
County, PA

Executor: Martin J. Rzucidlo c/o
James R. Wishchuk, JD,
Esquire, 2310 Walbert Avenue,
Suite 103, Allentown, PA 18104-
1360

Attorney: James R. Wishchuk,
JD, Esquire, 2310 Walbert
Avenue, Suite 103, Allentown,
PA 18104-1360

SPORTELLI, SALVATORE, dec'd.

Late of Easton, Northampton
County, PA

The Salvatore Sportelli Revocable
Agreement of Trust, dated
October 2, 2008, First

Amendment dated January 20, 2009; Second, Third and Fourth Amendments dated November 1, 2013; Fifth Amended dated January 9, 2014 n/k/a Salvatore Sportelli Irrevocable Family Trust Trustees: Louis Sportelli, D.C., 125 Delaware Avenue, Palmerton, PA 18071 and David M. LaValva, CPA, Abraham, Borda, Corvino, Butz, LaValva & Co. PC, 2857 Nazareth Road, Easton, PA 18045-2749 Attorneys: Gerald F. Strubinger, Jr., Esquire, Strubinger Law, P.C., 505 Delaware Avenue, P.O. Box 158, Palmerton, PA 18071-0158

THIRD PUBLICATION

BICKERT, FRANCES R., dec'd.

Late of Bushkill Township, Northampton County, PA
Executor: Mark R. Bickert, 140 Nolf Road, Nazareth, PA 18064-9485
Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064-2083

DLUGOS, FRANK P., JR., dec'd.

Late of Moore Township, Northampton County, PA
Administrator: Frank P. Dlugos, III, 2742 Whitetail Deer Drive, Bath, PA 18014
Attorneys: Lee A. Conrad, Esquire, Thomas, Conrad and Conrad, 2550 Brodhead Road, Bethlehem, PA 18020

FRANKLIN, WILLIAM D. a/k/a WILLIAM DAVID FRANKLIN, dec'd.

Late of Roseto, Northampton County, PA
Administrators: Joseph R. Plum and William W. Matz, Jr., 211 W.

Broad Street, Bethlehem, PA 18018-5517

Attorney: William W. Matz, Jr., Esquire, 211 W. Broad Street, Bethlehem, PA 18018-5517

GENTIS, IRINI A., dec'd.

Late of the Township of Hanover, Northampton County, PA
Executrix: Maria B. Halas c/o Dionysios C. Pappas, Esquire, Vasiliadis & Associates, 2551 Baglyos Circle, Suite A-14, Bethlehem, PA 18020
Attorneys: Dionysios C. Pappas, Esquire, Vasiliadis & Associates, 2551 Baglyos Circle, Suite A-14, Bethlehem, PA 18020

GRAMMES, HARRY E., JR. a/k/a HARRY E. GRAMMES, dec'd.

Late of the Borough of Bethlehem, Northampton County, PA
Executor: Robert Kromer, III c/o David B. Schwartz, Esquire, 44 E. Broad St., Suite 15, Bethlehem, PA 18018
Attorney: David B. Schwartz, Esquire, 44 E. Broad St., Suite 15, Bethlehem, PA 18018

HALLEY, JOHN MICHAEL, dec'd.

Late of Nazareth Borough, Northampton County, PA
Administratrix: Carrie Anne Williams, 306 Cadwalader Cir., Exton, PA 19341
Attorneys: Caroline J. Patterson, Esquire, Wade, Goldstein, Landau & Abruzzo, P.C., 610 Cassatt Ave., Berwyn, PA 19312

KRESGE, PETER J., dec'd.

Late of the Township of Palmer, Northampton County, PA
Executrix: Angela R. Wedo c/o Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, 940 West Lafayette Street, Suite 100, Easton, PA 18042-1412

Attorneys: Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, 940 West Lafayette Street, Suite 100, Easton, PA 18042-1412

MACINTOSH, DOUGLAS J., dec'd.

Late of Northampton, Northampton County, PA

Executrix: Virginia A. Brinton c/o Barbara Rush Renkert, Esquire, 2120 Northampton Street, Easton, PA 18042

Attorney: Barbara Rush Renkert, Esquire, 2120 Northampton Street, Easton, PA 18042

NONEMAKER, JEAN F., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Co-Executors: Randall C. Nonemaker, Marsha S. Venanzi and Philip B. Nonemaker c/o Robert V. Littner, Esquire, Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

Attorneys: Robert V. Littner, Esquire, Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

PARFITT, JACQUELINE, dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executor: Theodore Parfitt, Jr. c/o William P. Leeson, Esquire, 70 East Broad Street, P.O. Box 1426, Bethlehem, PA 18016-1426

Attorney: William P. Leeson, Esquire, 70 East Broad Street, P.O. Box 1426, Bethlehem, PA 18016-1426

RIDDELL, DIANE T., dec'd.

Late of Easton, Northampton County, PA

Executrix: Catherine Tichy a/k/a Catherine R. Tichy c/o

Karl H. Kline, Esquire, Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219

Attorneys: Karl H. Kline, Esquire, Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219

SNYDER, GERALDINE V., dec'd.

Late of the Township of Bushkill, Northampton County, PA

Executrices: Delores G. Molnar, Linda A. Potts and Diane I. Uhler c/o Kendahl B. DiFelice, Esquire, Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 S. Main Street, Nazareth, PA 18064

Attorneys: Kendahl B. DiFelice, Esquire, Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064

STANTON, FRANK E. a/k/a FRANKIE E. STANTON, dec'd.

Late of Hellertown, Northampton County, PA

Executrix: Patricia E. Stanton c/o William J. Fries, Esquire, The Atrium, 2895 Hamilton Boulevard, Suite 106, Allentown, PA 18104

Attorney: William J. Fries, Esquire, The Atrium, 2895 Hamilton Boulevard, Suite 106, Allentown, PA 18104

TAMANDL, HATTIE C., dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Hattie H. Doto, 470 E. Chestnut Street, Nazareth, PA 18064

Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064

TAYLOR, JOAN K., dec'd.

Late of the Borough of Nazareth,
Northampton County, PA
Executrix: Melissa Taylor, 2603
Players Court, Wellington, FL
33414

Attorneys: Peters, Moritz, Peischl,
Zulick, Landes & Brienza, LLP,
1 South Main Street, Nazareth,
PA 18064

WARREN, RAYMOND L., dec'd.

Late of the City of Easton,
Northampton County, PA

Executor: Steven N.
Goudsouzian, Goudsouzian &
Associates, 2925 William Penn
Highway, Suite 301, Easton, PA
18045-5283

Attorneys: Steven N.
Goudsouzian, Esquire,
Goudsouzian & Associates, 2925
William Penn Highway, Suite
301, Easton, PA 18045-5283

NOTICE OF ANNUAL MEETING

NOTICE IS HEREBY GIVEN that
the Annual Meeting of the members
of Nazareth Mutual Insurance
Company will be held at the office of
the Company, 114 South Main Street,
Nazareth, Pennsylvania, on Saturday,
March 11, 2017 at ten o'clock a.m.,
local time, for:

1. Election of three directors, each
to serve for a three-yr term; and

2. The transaction of such other
business as may properly come before
the meeting.

3. Proxy ballots are available and
may be obtained from the company
by policyholder request and submitted
prior to the above date.

4. Financial Statements are
available from the company by poli-
cyholder request.

John G. Abbott
Chairman

Attest: Sally F. Jablonski, Secretary
Feb. 2, 9, 16

NOTICE OF INCORPORATION

NOTICE IS HEREBY GIVEN that
Articles of Incorporation have been
filed with the Department of State of
the Commonwealth of Pennsylvania,
at Harrisburg, Pennsylvania, for the
purposes of obtaining a Certificate of
Incorporation of a proposed business
corporation to be organized under the
provisions of the Pennsylvania
Business Corporation Law of 1988,
approved December 21, 1988, P.L.
1444, No. 177, as amended.

The name of the corporation is:

LANDMARC PROPERTIES, INC.

The Articles of Incorporation were
filed on December 7, 2016.

NICHOLAS R. SABATINE, III, P.C.
16 S. Broadway
Suite 1
Wind Gap, PA 18091

Feb. 2

**NOTICE OF NONPROFIT
INCORPORATION**

NOTICE IS HEREBY GIVEN that
Articles of Incorporation have been
filed with the Department of State of
the Commonwealth of Pennsylvania
for the purpose of obtaining a Certifi-
cate of Incorporation for a non-
profit corporation, pursuant to the
provisions of the Pennsylvania
Business Corporation Law of 1988,
15 Pa. C.S. §1101 et seq. The name
of the corporation is:

BETHLEHEM AREA**HOST COMMITTEE, INC.**

Kevin F. Danyi, Esquire, JD, LL.M.
Danyi Law, P.C.
133 East Broad Street
Bethlehem, PA 18018
Tel. (610) 691-2800

Feb. 2

**FICTITIOUS NAME
REGISTRATION NOTICE**

NOTICE IS HEREBY GIVEN,
pursuant to the provisions of Act No.

295 of 1982, of intention to file, or the filing of, in the Office of the Secretary of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, a certificate for the conduct of a business in Pennsylvania, under the assumed or fictitious name, style, or designation of:

COSMIC CHICKENS

with its principal place of business at: 1919 Creek Road, Bethlehem, PA 18015.

The name and address of the person owning or interested in said business are: Shelagh E. Maloney, 1919 Creek Road, Bethlehem, PA 18015.

The certificate has been filed on November 28, 2016.

Feb. 2

**LIMITED LIABILITY COMPANY
NOTICES**

NOTICE IS HEREBY GIVEN that a Certificate of Organization for a Domestic Liability Company has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on or about November 14, 2016 for the purpose of creating a Limited Liability Company under the Limited Liability Company Law of 1994, P.L. 703, No. 106.

The name of the Limited Liability Company is:

702 UNION BLVD LLC

David B. Shulman, Esquire
Shulman & Shabbick
1935 Center Street
Northampton, PA 18067

Feb. 2

NOTICE IS HEREBY GIVEN that a Certificate of Organization for a Domestic Limited Liability Company has been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg,

Pennsylvania, on or about May 18, 2016 for the purpose of creating a Limited Liability Company under the Limited Liability Company Law of 1994, P.L. 703, No. 106.

The name of the Limited Liability Company is:

A HEALTHY LIFE LLC

Feb. 2

**CERTIFICATE OF AUTHORITY
NOTICES**

The Prebus Corporation filed a Foreign Registration Statement for a for-profit corporation with the Commonwealth of Pennsylvania. The address of its principal office under the laws of its jurisdiction is 16192 Coastal Highway, Lewes, DE 19958. The address of this Corporation's registered office in Pennsylvania is 33 N. 8th Street, Bangor, PA 18013 in the county of Northampton. This notice is filed in compliance with the requirements of the applicable provisions of 15 Pa. C.S. 412.

Feb. 2

Premier Business Partners, Inc. filed a Foreign Registration Statement for a for-profit corporation with the Commonwealth of Pennsylvania. The address of its principal office under the laws of its jurisdiction is 16192 Coastal Highway, Lewes, DE 19958. The address of this Corporation's registered office in Pennsylvania is 33 N. 8th Street, Bangor, PA 18013 in the county of Northampton. This notice is filed in compliance with the requirements of the applicable provisions of 15 Pa. C.S. 412.

Feb. 2

**IN THE NORTHAMPTON COUNTY
COURT OF COMMON PLEAS
ORPHANS' COURT DIVISION**

The following Executors, Administrators, Guardians & Trustees have

filed Accounts in the Office of the Orphans' Court:

ESTATE; Accountant

MARIE BEALER ROSENKRANZ
a/k/a MARIE M. ROSENKRANZ; Karl
M. Rosenkranz, Executor

MELROSE LAND COMPANY
d/b/a BETHLEHEM MEMORIAL
PARK, PERMANENT LOT CARE
FUND TRUST AGREEMENT; PNC
Bank, N.A., Trustee

AUDIT NOTICE

All parties interested are notified that an audit list will be made up of all Accounts and the said list will be called for audit at the Northampton County Government Center, Easton, PA on: FRIDAY, FEBRUARY 17, 2017 AT 9:00 A.M. IN COURTROOM #1.

Gina X. Gibbs
Clerk of Orphans' Court
Feb. 2, 9

NOTICE FOR CHANGE OF NAME

NOTICE IS HEREBY GIVEN that on December 1, 2016, the Petition of Rachel Sue Alpert was filed in Northampton County Court of Common Pleas at No. C-48CV2016-10476, seeking to change the name of Petitioner from Rachel Sue Alpert to Russell Harrison Alpert. The Court has fixed Friday, February 17, 2017 at 9:00 a.m., in courtroom #4 at the Northampton County Courthouse as the date for hearing of the Petition. All persons interested in the proposed change of name may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

Feb. 2

NOTICE FOR CHANGE OF NAME

NOTICE IS HEREBY GIVEN that on January 25, 2017, the Petition of Nadine Denise Lounds was filed in Northampton County Court of Common Pleas at No. C-48CV2017-

565, seeking to change the name of Petitioner from Nadine Denise Lounds to Madyson Scotlynn Laine. The Court has fixed Monday, February 27, 2017 at 9:00 a.m., in courtroom #4 at the Northampton County Courthouse as the date for hearing of the Petition. All persons interested in the proposed change of name may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

Feb. 2

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA CIVIL DIVISION—LAW

IN RE: Petition of Career Institute
of Technology for Approval of
Private Sale of Land Totaling
approximately .25 Acres Located
at 428 Toboggan Trail, Easton,
Northampton County, Pennsylvania
NO. 693 OF 2017
PUBLIC NOTICE

All parties interested are notified that the Career Institute of Technology desires to sell improved real property consisting of .25 total acres and located at 428 Toboggan Trail, Easton, Northampton County, Pennsylvania, by private sale for the purchase price of \$271,000.00 and has filed a Petition for Approval of Private Sale of Land in the Court of Common Pleas of Northampton County.

All parties interested are notified that a hearing on the Petition for Approval of Private Sale of Land is scheduled on February 22, 2017 at 9:00 a.m. in Courtroom No. 1 of the Court of Common Pleas of Northampton County, located at 669 Washington Street, Easton, PA. Any party interested shall appear to be heard.

Feb. 2, 9, 16

NOTICE

The City of Bethlehem codified ordinances have been revised and updated from January 2016 through December 2016. Updates are available in electronic and paper formats. Updates in paper format cost \$25.00. The entire codified ordinances including monthly updates in electronic format are at the City's website www.bethlehem-pa.gov. Click the about tab/scroll to ordinances. The entire codified ordinance book in paper format, including the latest updates through December 2016, is available at the cost of \$150. Checks should be made payable to: City of Bethlehem. Contact: Louise M. Kelchner, City Clerk, 10 E. Church St., Bethlehem, PA 18018, (610) 865-7130 or cityclerk@bethlehem-pa.gov.

Feb. 2

OF-COUNSEL NOTICE

Harry Newman, Esq., is continuing his Of-Counsel position with the Law Office of Michael A. Santanasto located at 210 E. Broad St., Bethlehem, PA 18018. Attorney Newman will continue to practice in the areas of Social Security Disability and Bankruptcy. He may be reached at (610) 849-1780.

Jan. 26; Feb. 2

SHERIFF'S SALE OF VALUABLE REAL ESTATE

The following real estate will be sold by the Sheriff of Northampton County, Pennsylvania, on February 10, 2017, at ten o'clock a.m. in the COUNCIL CHAMBERS, THIRD FLOOR, of the Northampton County Government Center, within the City of Easton, County of Northampton and State of Pennsylvania, to wit:

PLEASE TAKE NOTICE that the sale price will include only the

outstanding taxes certified to the Sheriff's Office. Any taxes not reported to the Sheriff are the responsibility of the purchaser.

No. 1**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2015-11978****Location:**

831 West Pennsylvania Avenue, Pen Argyl, PA 18072, 829 West Pennsylvania Avenue, Pen Argyl, PA 18072, West Pennsylvania Avenue, Pen Argyl, PA 18072

Parcel IDs:

E8NE4/2/10/0626 and E8NE4/2/9/0626 and E8NE4/2/8/0626

Reputed Owners:

Albert Uliana and Adam M. Kromer a/k/a Adam Kromer

ALL THOSE THREE CERTAIN LOTS or parcels of ground situated in the Township of Plainfield, County of Northampton and State of Pennsylvania;

BEING THE SAME PREMISES which Frederick Bergstresser and Jennifer Bergstresser, his wife, by Deed dated 9/28/07 and recorded 10/12/07 in the Office of the Recorder of Deeds in and for the County of Northampton, in Deed Book 20071, Page 376862, and Instrument #2007048208, granted and conveyed unto Albert Uliana and Adam Kromer, as tenants in common, in fee.

Improvements:

First lot having erected thereon a two-and-one-half-story half-double dwelling with asphalt shingle siding and slate roof. Second lot having erected thereon a two-and-one-half-story half-double dwelling with asphalt shingle siding and slate roof. Third lot being vacant land.

Attorneys:

Shapiro & DeNardo, LLC

No. 2**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2014-10971****Location:**

1824 Barrett Drive, Bethlehem, PA
18017

Parcel ID:

M7SW4/12/20/0204

Reputed Owners:

Elias Gharzouzi and Diane
Gharzouzi

ALL THAT CERTAIN tract, piece
or parcel of land, situate, lying
and being in the Fourteenth Ward, City of
Bethlehem, County of Northampton,
Commonwealth of Pennsylvania,
being Lot No. 13 as shown on Plan of
Section IV, John Glenn Park.

TITLE TO SAID PREMISES IS
VESTED IN Elias Gharzouzi and
Diane Gharzouzi, h/w, by Deed from
Robert C. Gavinski, Jr. and Theresa
A. Gavinski, h/w, dated 06/07/1995,
recorded 06/09/1995 in Book
1995-1, Page 50698.

Improvements:

Thereon being erected a split-level
single dwelling with aluminum siding
and brick exterior, shingle roof and
attached two-car garage.

Attorneys:

Martha E. Von Rosenstiel, PC

No. 3**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2015-05753****Location:**

839 Radclyffe Street, Bethlehem,
PA 18017-6014

Parcel ID:

N6SE3B/9/16/0204

Reputed Owners:

Nicholas B. Swartz a/k/a Nicholas
Brian Swartz and Alexandra Swartz

ALL THAT CERTAIN messuage,
tenement and lot or piece of ground

situate on the Northerly side of
Radclyffe Street, known as 839
Radclyffe Street and also known as
Lot No. 15 and parts of Lots 14 and
16, of Block 2800 as shown on Plan
entitled, 'The United States Housing
Corporation of PA for Project No. 24'
as recorded in Map Book 9, on Page
11, in the City of Bethlehem, County
of Northampton, Commonwealth of
Pennsylvania.

TITLE TO SAID PREMISES IS
VESTED IN Nicholas B. Swartz and
Alexandra Swartz, h/w, by Deed from
Susan Lisa Meckley, Dated
04/20/2010, Recorded 04/22/2010,
in Book 2010-1, Page 73864.

Improvements:

Thereon being erected a Cape
Cod-style dwelling with brick exterior,
slate and shingle roof, and detached
one-car garage.

Attorneys:

Phelan Hallinan Diamond &
Jones, LLP

No. 5**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-02184****Location:**

333 South Oak Street, Bethlehem,
PA 18017-7068

Parcel ID:

P7/2/3-40/0212

Reputed Owner:

Lisa Clark a/k/a Lisa S. Clark

All that certain Lot or Piece of
Ground, situate in the Borough of
Freemansburg, County of Northamp-
ton and the Commonwealth of Penn-
sylvania.

TITLE TO SAID PREMISES IS
VESTED IN Lisa S. Clark, unmarried,
by Deed from Zawarski and Sons
Builders, Inc., Dated 06/30/2005,
Recorded 11/07/2005, in Book
2005-1, Page 443541.

Improvements:

Thereon being erected a three-story row home with vinyl siding and brick exterior, shingle roof and attached one-car garage.

Attorneys:

Phelan Hallinan Diamond & Jones, LLP

No. 6**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2014-08646****Location:**

810 Sheridan Drive, Easton, PA 18045-5048

Parcel ID:

M8SE1/3/24/0324

Reputed Owners:

Nicholas Viscomi and Regina Viscomi

ALL THOSE THREE CERTAIN lots, tracts or pieces of land situate in Palmer township, county of Northampton and state of Pennsylvania, known and designated as lots nos. 13, 14 and 15 on plan of lots known as Hedge Lawn, section B.

TITLE TO SAID PREMISES IS VESTED IN Nicholas Viscomi and Regina Viscomi, h/w, by Deed from Marie Pologruto, power of attorney for Anthony La Rosa, Dated 03/30/2001, Recorded 05/02/2001, in Book 2001-1, Page 74043.

Improvements:

Thereon being erected a ranch-style dwelling with vinyl siding, shingle roof and detached two-car garage.

Attorneys:

Phelan Hallinan Diamond & Jones, LLP

No. 8**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2012-05953****Location:**

1606 Fairmount Street, Bethlehem, PA 18017-6708

Parcel ID:

N7SW1C/6/22/0204

Reputed Owner:

James D. Grossett

ALL THAT CERTAIN lot or piece of land with the buildings and improvements thereon erected.

SITUATE in the 15th Ward of the City of Bethlehem, County of Northampton and State of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN James D. Grossett, by Deed from Marguerite L. Francisco, widow, dated 06/30/2000, recorded 07/06/2000 in Book 2000-1, Page 84115.

Improvements:

Thereon being erected a ranch-style half-double dwelling with aluminum siding and shingle roof.

Attorneys:

Phelan Hallinan Diamond & Jones, LLP

No. 9**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-02270****Location:**

11 Arch Street, Pen Argyl, PA 18072-1630

Parcel ID:

D8SE3C/18/11/0625

Reputed Owners:

Roberta A. Allen, in her capacity as Executrix and Devisee of the Estate of Sally Levay; and Paul Edward Levay, Jr., in his capacity as Devisee of the Estate of Sally Levay

ALL THAT CERTAIN lot or piece of ground situate in the said Borough of Pen Argyl, County of Northampton and Commonwealth of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Sally LeVay, by Deed from Robert Johnston and Jean Olsen, Co-Executors of the Estate of

Barbara Gerhard a/k/a Barbara A. Gerhard, Deceased and Robert Johnston, individually and Jean Olsen, individually, as sole Beneficiaries of the Estate of Barbara Gerhard a/k/a Barbara A. Gerhard, Deceased, dated 08/15/2003, recorded 08/27/2003 in Book 2003-1, Page 349841.

The said Sally LeVay died 8/26/10. Vesting interest solely to her heirs.

Improvements:

Thereon being erected a two-and-one-half-story colonial-style dwelling with aluminum siding, half-shingle and half-slate roof, and detached one-car garage.

Attorneys:

Phelan Hallinan Diamond & Jones, LLP

No. 10
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2014-00398

Location:

137 Vista Drive, Easton, PA 18042-7203

Parcel ID:

L10SW4D/13/19/0310

Reputed Owner:

Wladyslaw Kusek

ALL THAT CERTAIN lot or piece of land with the improvements thereon erected situated in the City of Easton, County of Northampton and State of Pennsylvania, known as Lot No. 87 Section.

TITLE TO SAID PREMISES IS VESTED IN Wladyslaw Kusek, divorced, by Deed from Jack E. Wilson and Romualda M. Wilson, his wife, dated 12/28/1982, recorded 01/28/1983 in Book 646, Page 164.

Improvements:

Thereon being erected a two-story row home with brick exterior and shingle roof.

Attorneys:

Phelan Hallinan Diamond & Jones, LLP

No. 11
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-02789

Location:

251 Green Street, Bath, PA 18014-1005

Parcel ID:

K6NW4C/13/5/0503

Reputed Owners:

Crystal Franklin and William Franklin

ALL THAT CERTAIN messuage, tenement and piece or parcel of land, situate in the borough of Bath, county of Northampton, and state of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Crystal Franklin and William Franklin, w/h, by Deed from Clarence Fogel, Jr. and Roxann Fogel, h/w, dated 12/06/2007, recorded 12/18/2007 in Book 2007-1, Page 448521.

Improvements:

Thereon being erected a two-story half-double dwelling with aluminum siding, slate roof and detached one-car garage.

Attorneys:

Phelan Hallinan Diamond & Jones, LLP

No. 12
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-07178

Location:

8621 North Delaware Drive, Bangor, PA 18013-4355

Parcel ID:

G10/8/14C/0317

Reputed Owners:

Frank P. Tirino a/k/a Frank Patrick Tirino and Gina Marie Tirino a/k/a Gina M. Tirino

All that certain tract or piece of land with the buildings and improve-

ments thereon erected, if any, situate in the Township of Lower Mt. Bethel, County of Northampton, Commonwealth of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Frank Tirino, not married, by Deed from Ginamarie Tirino not married, dated 11/13/2014, recorded 11/13/2014 in Book 2014-1, Page 200445.

Improvements:

Thereon being erected a ranch-style dwelling with aluminum siding, shingle roof and attached two-car garage.

Attorneys:

Phelan Hallinan Diamond & Jones, LLP

No. 13

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2008-11618**

Location:

2305 Jamie Court, Easton, PA 18040-8786

Parcel ID:

K9/16/13B-52/0311

Reputed Owner:

Bayyinah Ismail f/k/a Bayyinah Summerville a/k/a Bayyinah J. Summerville

ALL THAT CERTAIN PARCEL OF LAND IN THE TOWNSHIP OF FORKS, NORTHAMPTON COUNTY, COMMONWEALTH OF PA.

TITLE TO SAID PREMISES IS VESTED IN Bayyinah Ismail, a married woman, by Deed from Bayyinah Summerville nbm Bayyinah Ismail, Dated 08/11/2004, Recorded 08/19/2004, in Book 2004-1, Page 325839.

Improvements:

Thereon being erected a two-story single dwelling with vinyl siding, shingle roof and attached two-car garage.

Attorneys:

Phelan Hallinan Diamond & Jones, LLP

No. 14

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-04532**

Location:

339 South Broad Street, East Bangor, PA 18013

Parcel ID:

D10SW3A/2/7A/0109

Reputed Owners:

Melissa L. Woolley and Jon P. Woolley

ALL THAT CERTAIN plot, piece or parcel of land situate and being in the Borough of East Bangor, County of Northampton and State of Pennsylvania.

Being the same premises granted and conveyed unto Jon P. Woolley and Melissa L. Woolley, husband and wife by deed from Alicia S. Dolinger, a single woman, and Andrea L. Kiebler, a married woman, as joint tenants with rights of survivorship dated 09/11/2012 and recorded 10/15/2012 as Instrument Number 2012033369 Book 2012-1 Page 248493, of Official Records.

Improvements:

Thereon being erected a two-story colonial-style dwelling with vinyl siding, shingle roof and attached one-car garage.

Attorneys:

KML Law Group, PC

No. 15

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-10773**

Location:

2239 Freemansburg Avenue, Easton, PA 18042

Parcel ID:

L9SW4C/16/32/0837

Reputed Owners:

John Barr and Cindy S. Barr

ALL THAT PARCEL OF LAND IN NORTHAMPTON COUNTY,

COMMONWEALTH OF PENNSYLVANIA, AS MORE FULLY DESCRIBED IN DEED BOOK 2000-1, PAGE 113022.

Vested by Quit Claim Deed, dated 04/24/2006, given by Cindy S. Skinner, a married woman to Cindy S. Skinner and John Barr, wife and husband, as joint tenants with right of survivorship, and not as tenants in common and recorded 5/10/2006 in Book 2006-1 Page 186876 Instrument #2006028906.

Improvements:

Thereon being erected a two-story half-double dwelling with brick exterior, shingle roof and detached one-car garage.

Attorneys:

KML Law Group, PC

No. 16

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-01343**

Location:

10 Ashlee Court, Easton, PA 18045

Parcel ID:

M8NE3/32/1-20/0324

Reputed Owners:

Mark Gilmore and Monique L. Gilmore a/k/a Monique Gilmore

ALL THAT CERTAIN tract or parcel of land situate in the Township of Palmer, County of Northampton and Commonwealth of Pennsylvania.

BEING the same premises which Mark Gilmore and Monique L. Gilmore, husband and wife by Deed dated January 28, 2008 and recorded March 25, 2008 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book 2008-1 Pg 81618 granted and conveyed unto Mark Gilmore and Monique L. Gilmore, husband and wife.

Improvements:

Thereon being erected a two-story single dwelling with brick exterior, shingle roof and attached two-car garage.

Attorneys:

Stern & Eisenberg, PC

No. 17

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2015-10858**

Location:

146 West Milton Street, Easton, PA 18042

Parcel ID:

M9NE2B/5/6/0310

Reputed Owners:

Anette S. Frierson and Chaske Frierson

ALL THAT CERTAIN tract or parcel of land and premises, hereinafter particularly described, situate, lying and being in the City of Easton, in the County of Northampton and Commonwealth of Pennsylvania.

BEING THE SAME PREMISES which Anette S. Frierson and Chaske Frierson, by Deed dated April 12, 2005 and recorded April 27, 2005 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 2005-1, Page 152376, granted and conveyed unto Anette S. Frierson and Chaske Frierson.

Improvements:

Thereon being erected a two-story half-double dwelling with brick exterior, slate roof and detached one-car garage.

Attorneys:

Law Offices of Gregory Javardian, LLC

No. 18

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-03117**

Location:

1452 Main Street, Northampton, PA 18067

Parcel ID:

M4NW1B/14/4/0522

Reputed Owner:

George A. Budihas

ALL THAT CERTAIN messuage or tenement and parcel or piece of land situate in the Second Ward of the Borough of Northampton, Northampton County, Pennsylvania.

BEING THE SAME PREMISES which Kalman Milisits, Executor of the Last Will and Testament of Joseph S. Milisits a/k/a Joseph L. Milisits, by Deed dated July 10, 1970, and recorded July 13, 1970, in the Office of the Recorder of Deeds in and for Northampton County, Pennsylvania, in Book 375, Page 276, granted and conveyed to George A. Budihas and Mary Ann Budihas. The said Mary Ann Budihas died on July 24, 1983, thereby vesting sole title in George A. Budihas.

Improvements:

Thereon being erected a two-story half-double dwelling with vinyl siding, slate roof and detached one-car garage.

Attorneys:

Norris McLaughlin & Marcus, PA

No. 19**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2015-06221****Location:**1530 Washington Street, Easton,
PA 18042**Parcel ID:**

L9SW3B/2/6/0837

Reputed Owners:

Halim A. Bouri and Patricia D. Torres

All that certain messuage, tenement and lot or piece of ground situate on the southerly side of Washington Street, known as 1530 Washington Street, in the Borough of Wilson, County of Northampton, Commonwealth of Pennsylvania.

Title to said Premises vested in Halim A. Bouri and Patricia D. Torres, husband and wife, as tenants by the entirety by Deed from Scott W. Pence, unmarried dated March 6, 2006 and recorded on March 9, 2006 in the Northampton County Recorder of Deeds in Book 2006-1, Page 98049.

Improvements:

Thereon being erected a 3-story single dwelling with vinyl siding and shingle roof.

Attorneys:

Milstead & Associates, LLC

No. 20**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-04466****Location:**8 North Delaware Drive, Easton,
PA 18042**Parcel ID:**

L9NE3B/8/15C/0310

Reputed Owners:Justin Sutters and Silvia Oliveira
Mendes

All that certain piece, parcel or tract of land, hereditaments and appurtenances, situate in the City of Easton, County of Northampton and State of Pennsylvania.

Title to said Premises vested in Justin Sutters and Silvia Oliveira Mendes, husband and wife by Deed from Justin Sutters dated June 14, 2007 and recorded on June 20, 2007 in the Northampton County Recorder of Deeds in Book 2007-1, Page 227224.

Improvements:

Thereon being erected a two-story row home with brick exterior and shingle roof.

Attorneys:

Milstead & Associates, LLC

No. 21
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2015-08213

Location:

12 Chestnut Commons Court,
Easton, PA 18040

Parcel ID:

K9SW1/9/12/0311

Reputed Owners:

Nicholas Basil Imbimbo a/k/a
Nicholas Imbimbo and Leah C.
Imbimbo

All that certain unit in the property known, named and identified in the Declaration referred to below as Chestnut Commons, a Condominium, located in the Township of Forks and County of Northampton, Commonwealth of PA.

Title to said Premises vested in Nicholas Imbimbo and Leah Prutzman, as joint tenants with the right of survivorship by Deed from Joie L. Silva, formerly Joie L. Santilli dated August 31, 2006 and recorded on September 14, 2006 in the Northampton County Recorder of Deeds in Book 2006-1, Page 377811.

Improvements:

Thereon being erected a two-story row home with brick exterior and shingle roof.

Attorneys:

Milstead & Associates, LLC

No. 23
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2015-03597

Location:

739 Fiot Avenue, Bethlehem, PA
18015

Parcel ID:

P6SW3B/13/5/0204

Reputed Owners:

Marcial Figueroa and Rae Figueroa
ALL THAT CERTAIN LOT OR
PIECE OF GROUND SITUATE ON

THE EAST SIDE OF FIOT AVENUE, IN THE CITY OF BETHLEHEM (FORMERLY BOROUGH OF SOUTH BETHLEHEM), COUNTY OF NORTHAMPTON AND COMMONWEALTH OF PENNSYLVANIA.

BEING THE SAME PREMISES which Rae Gonzales, now known as Rae Figueroa and Marcial Figueroa, wife and husband, by Deed dated 4/24/06 and recorded 5/1/06 in the Office of the Recorder of Deeds in and for the County of Northampton, in Deed Book 2006-1, Page 170904, Instrument #2006026686, granted and conveyed unto Marcial Figueroa and Rae Figueroa, husband and wife, as tenants by the entirety, in fee.

Improvements:

Thereon being erected a two-story half-double dwelling with brick and stone exterior and shingle roof.

Attorneys:

Shapiro & DeNardo, LLC

No. 24
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-07164

Location:

22 Russet Drive, Easton, PA
18045

Parcel ID:

M9SW1/37/10/0324

Reputed Owner:

Andrew Carr

All that certain lot or piece of ground situate on the East side of Russet Drive, known as #22 Russet Drive, Palmer Township, Northampton County, Pennsylvania.

BEING the same property conveyed to Andrew Carr who acquired title by virtue of a deed from Tammy L. Ryan, now known as Tammy L. Rhoades, dated October 24, 2008, recorded October 29, 2008, at Deed Book 2008-1, Page 292968, Northampton County, Pennsylvania records.

Improvements:

Thereon being erected a ranch-style dwelling with vinyl siding and brick exterior, shingle roof and attached two-car garage.

Attorneys:

Manley Deas Kochalski, LLC

No. 25**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-01616****Location:**

521 East Laurel Street, Bethlehem, PA 18018

Parcel ID:

N6SE3D/6/19/0204

Reputed Owners:

Kevin Bowers and Michelle Bowers

ALL that certain messuage, tenement and lot or piece of land situate in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania.

BEING the same premises which Robert W. Turner and Susan A. Turner, by deed dated May 31, 1991 and recorded June 3, 1991 to Northampton County Deed Book 831, Page 28, granted and conveyed unto Kevin Bowers.

Improvements:

Thereon being erected a two-story half-double dwelling with brick exterior, shingle roof and detached one-car garage.

Attorneys:

Purcell Krug & Haller

No. 26**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2014-06268****Location:**

1716 Lansdale Avenue, Bethlehem, PA 18017

Parcel ID:

N7NW1B/5/3/0204

Reputed Owners:

Mollie Roth a/k/a Mollie Vollmer, solely in her capacity as Heir of Brian D. Roth, deceased; Scott R. Roth, solely in his capacity as Heir of Brian D. Roth, deceased; and Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations claiming right, title or interest from or under Brian D. Scott, deceased

ALL THAT CERTAIN lot or parcel of land with buildings erected thereon, being Lot #22, Section "A" as shown on the revised plan of Liberty Park, dated 1/21/52, in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania.

BEING THE SAME PREMISES which Richard L. Wilson, Executor under the Last Will and Testament of Frances M. Wilson, by Deed dated April 29, 1999 and recorded May 3, 1999 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 1999017932, granted and conveyed unto BRIAN D. ROTH, single.

Improvements:

Thereon being erected a ranch-style dwelling with aluminum siding, shingle roof and detached two-car garage.

Attorneys:

Powers Kirm & Associates, LLC

No. 27**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-00875****Location:**

1 Rosewood Court, Easton, PA 18042-4469

Parcel ID:

L9SE2D/10/1A-1/0310

Reputed Owner:

Jeffrey L. Staton

ALL THAT CERTAIN UNIT, designated as Unit No. 1, being a unit in

Rosewood Court Condominiums, situate in the City of Easton, County of Northampton, and Commonwealth of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Jeffrey L. Staton, single, by Deed from Charles A. Thom, Jr. and Michelle M. Solivan nka Michelle M. Thom, h/w, dated 11/23/2009, recorded 11/23/2009 in Book 2009-1, Page 293355.

Improvements:

Thereon being erected a two-story condominium with vinyl siding and shingle roof.

Attorneys:

Phelan Hallinan Diamond & Jones, LLP

**No. 28
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-08071**

Location:

1032 Linden Street, Bethlehem, PA 18018

Parcel ID:

N6SE4C/12/2/0204

Reputed Owner:

Teresa A. Dipippa

All that certain lot or piece of ground situated on the east side of Linden Street in the City of Bethlehem, county of Northampton, and Commonwealth of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Teresa A. Dipippa, single, by Deed from Carova Acquisitions, LP., Limited Partnership, dated 07/17/2013, recorded 07/19/2013 in Book 2013-1, Page 191594.

Improvements:

Thereon being erected a three-story single dwelling with aluminum siding and brick exterior, shingle and slate roof and detached three-car garage.

Attorneys:

Phelan Hallinan Diamond & Jones, LLP

**No. 29
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2015-11496**

Location:

1098 West Berwick Street, Easton, PA 18042

Parcel ID:

M9NE1A/5/1/0310

Reputed Owners:

Amber K. Kleintop and Deangelo Tordonato, as Co-Administrators and Heirs of the Estate of Jesse C. Tordonato a/k/a Jesse Tordonato; Harley J. Tordonato a/k/a Harley J. Tordonato, as Heir of the Estate of Jesse C. Tordonato a/k/a Jesse Tordonato; and Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations claiming right, title or interest from or under Jesse C. Tordonato a/k/a Jesse Tordonato, deceased

ALL THAT CERTAIN messuage, tenement and tract or piece of land situate in the City of Easton, County of Northampton and State of Pennsylvania, together with the improvements.

TITLE TO SAID PREMISES IS VESTED IN Jesse Tordonato, by Deed from Santo Farina, Dated 12/20/1999, Recorded 12/22/1999, in Book 1999-1, Page 187481, Instrument No. 1999056654.

The said Jesse Tordonato departed this life on or about 02/11/2015, and upon information and belief, his surviving heirs at law and next-of-kin are Amber K. Kleintop, Deangelo Tordonato, and Harvey J. Tordonato a/k/a Harley J. Tordonato.

Letters of Administration were granted to Amber K. Kleintop and Deangelo Tordonato on 03/27/2015 by the Register of Wills of Northampton County, No. 2015-0406.

Improvements:

Thereon being erected a three-story half-double dwelling with vinyl

siding, shingle roof and detached two-car garage.

Attorneys:

Phelan Hallinan Diamond & Jones, LLP

No. 30

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-11756**

Location:

218 Lower Way Road, Easton, PA 18045

Parcel ID:

K8/15/2-29/0324

Reputed Owner:

Catherine K. Viskinda

ALL THAT CERTAIN piece, parcel or tract of land situate in the Township of Palmer, County of Northampton and Commonwealth of Pennsylvania as shown on Final Plan 'Fox Run Estates', as shown on Map Book 2004-5, Page 483.

TITLE TO SAID PREMISES IS VESTED IN Catherine K. Viskinda, unmarried woman, by Deed from NVR, Inc., a Virginia Corporation, Dated 01/15/2008, Recorded 02/01/2008, in Book 2008-1, Page 29489.

Improvements:

Thereon being erected a two-story single dwelling with vinyl siding, shingle roof and attached two-car garage.

Attorneys:

Phelan Hallinan Diamond & Jones, LLP

No. 31

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-00247**

Location:

111 McNair Circle, Northampton, PA 18067

Parcel ID:

M4/3/4-45/0501

Reputed Owners:

Nicholas P. Passanisi and Jessica Gambino Passanisi

ALL that certain piece or parcel of land shown as Lot 45 on the Preliminary/Final Plan of Summerglenn, prepared by Keystone Consulting Engineers, Inc., recorded May 13, 2004 in the Northampton County Recorder of Deeds office in Map Book 2004-1 page 249.

TITLE TO SAID PREMISES IS VESTED IN Nicholas P. Passanisi and Jessica Gambino Passanisi, h/w, by Deed from T.H. Properties, LP., a PA Limited Partnership, dated 10/18/2005, recorded 10/26/2005 in Book 2005-1, Page 422887.

Improvements:

Thereon being erected a two-story single dwelling with stucco exterior, shingle roof and attached two-car garage.

Attorneys:

Martha E. Von Rosenstiel, PC

No. 32

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-05838**

Location:

85 Gaffney Hill Road, Easton, PA 18042

Parcel ID:

N9/6/20/0836

Reputed Owners:

Richard A. Howey and Darlene M. Howey

ALL THAT CERTAIN tract or piece of land together with improvements therein erected, situate in the Township of Williams, County of Northampton and State of Pennsylvania, bounded and described in accordance with a survey performed by Louis A. Ferrone, P.E., L.S., dated April 17, 2003.

TITLE TO SAID PREMISES IS VESTED IN Darlene M. Howey and

Richard A. Howey, her husband, by Deed from Stella M. Buttner, widow, dated 05/06/2003, recorded 05/07/2003 in Book 2003-1, Page 166027.

Improvements:

Thereon being erected a two-story single dwelling with aluminum siding, shingle roof and detached two-car garage.

Attorneys:

Martha E. Von Rosenstiel, PC

No. 34

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-06190**

Location:

2123 Northampton Street, Easton, PA 18042

Parcel ID:

L9SW1C/1/5/0837

Reputed Owner:

Richard B. Wilson

ALL THAT CERTAIN lot or piece of land, together with the eastern one-half of a double brick dwelling thereon erected and known as No. 2123 Northampton St., situate on the north side of Northampton Street known as the Easton and Nazareth Road, in the Borough of Wilson, County of Northampton, State of Pennsylvania.

BEING the same premises Nicholas V. Patti and Joyce Patti, husband and wife, by deed dated May 10, 2013 and recorded in the Office of Recorder of Deeds in and for Northampton County on May 17, 2013 at Book 2013-1, Page 127902, and Instrument #2013016909, conveyed unto Richard B. Wilson.

Improvements:

Thereon being erected a two-story half-double dwelling with brick exterior and shingle roof.

Attorneys:

Richard M. Squire & Associates, LLC

No. 35

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2014-12275**

Location:

806 Washington Avenue, Northampton, PA 18067

Parcel ID:

M4NW3B/4/9/0522

Reputed Owners:

Jeff Ethan Shoop and Wendy L. Shoop

ALL THAT CERTAIN messuage, tenement and lot or piece of ground situate in the Third Ward of the Borough of Northampton, in the County of Northampton, and State of Pennsylvania.

BEING the same premises in which Lewis K. Miller, Executor of the Estate of Olga Miller and recorded in the Office of Recorder of Deeds in and for Northampton County on October 22, 1998 at Instrument # 1998044862, Book 1998-1, Page 145095, conveyed unto Jeff Ethan Shoop and Wendy L. Shoop.

Improvements:

Thereon being erected a two-story single dwelling with brick exterior, slate roof and detached two-car garage.

Attorneys:

Richard M. Squire & Associates, LLC

No. 36

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-01562**

Location:

3520 Manor Road, Bethlehem, PA 18020

Parcel ID:

L7SW3/1/18/0205

Reputed Owner:

Richard Mayer, Jr.

ALL that certain tract or parcel of land known as Lot 18, as shown on

the Final Plan of "Broadhead Manor", prepared by Estate Developers & Engineers, situated in the Township of Bethlehem, Northampton County, in the State of Pennsylvania.

Being the same premises which Louis Dehapias by Deed Dated 12/18/2002 and Recorded on 01/06/2003 in the County of Northampton in Record Book Volume 2003-1 Page 4126 conveyed unto Richard Mayer, Jr., In Fee.

Improvements:

Thereon being erected a two-story single dwelling with stucco and field-stone siding, shingle roof, attached three-car garage and in-ground pool.

Attorneys:

Eckert Seamans Cherin & Mellott, LLC

No. 37

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-11338**

Location:

426 West Berwick Street, Easton, PA 18042

Parcel ID:

L9SE4C/27/22/0310

Reputed Owner:

Ivette J. Gonzalez

All those certain lots of land situated in the City of Easton, County of Northampton, and Commonwealth of Pennsylvania, and designated as Lots Nos. 4, 3, and the Westerly One-Half of 2, Block R, on the plan of lots laid out on the "Ott Farm" by Peter Brady for Charles and Frederick Seitz, in December 1891.

Being the same property conveyed to Ivette J. Gonzalez who acquired title by virtue of a deed from Estate of John M. Hahn, Jr. By Benya Lee Spruck, Executor of the Estate of John M. Hahn, Jr., Late, dated March

2, 2009, recorded March 12, 2009, at Instrument Number 2009007366, and recorded in Book 2009-1, Page 52889, Northampton County, Pennsylvania records.

Improvements:

Thereon being erected a two-story half-double dwelling with brick exterior and shingle roof.

Attorneys:

Manley Deas Kochalski, LLC

No. 38

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2015-05255**

Location:

7 Webster Street, East Bangor, PA 18013

Parcel ID:

D10SW1D/7/2/0109

Reputed Owners:

Seyfettin Turkdal and Hava Turkdal

All those certain tracts, parcels or pieces of land, lying and being in the Borough of East Bangor, in the County of Northampton and Commonwealth of Pennsylvania.

Being the same property conveyed to Seyfettin Turkdal and Hava Turkdal, husband and wife, who acquired title by virtue of a deed from Merlin R. Oyer, by his attorney-in-fact Lee E. Oyer, dated October 26, 2001, recorded November 1, 2001, at Instrument Number 2001047682, and recorded in Book 2001-1, Page 230342, Northampton County, Pennsylvania records.

Improvements:

Thereon being erected a two-and-one-half-story single dwelling with cement shingle siding and shingle roof.

Attorneys:

Manley Deas Kochalski, LLC

No. 39
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-12591

Location:

75 West Ettwein Street, Bethlehem,
PA 18018

Parcel ID:

P6NE1A/2/5/0204

Reputed Owners:

Anita Torres and James Devine

ALL THAT CERTAIN messuage or tenement and lot or piece of ground situate on the South side of Ettwein Street, in the City of Bethlehem, Northampton County, Pennsylvania.

Being the same premises which Cory S. Zrinski and Sara S. Zrinski, husband and wife, by Deed dated 02/07/2007, recorded 03/08/2007, in the office of the Recorder of Deeds in and for Northampton County, in Book 2007-1, Page 88535, conveyed unto Anita M. Torres and James M. Devine, Grantees herein.

Improvements:

Thereon being erected a two-story half-double dwelling with aluminum siding and shingle roof.

Attorneys:

Richard M. Squire & Associates,
LLC

No. 40
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-02720

Location:

1106 East 4th Street, Bethlehem,
PA 18015

Parcel ID:

P6SE2B/9/2/0204

Reputed Owner:

Ping Yang

All that certain messuage, tenement, and lot or piece of ground situate on the South side of Fourth Street, Lower Saucon Township (now

City of Bethlehem), County of Northampton, and Commonwealth of Pennsylvania.

Being the same property which Anna Dziak and Marian Dziak, wife and husband, granted and conveyed unto Ping Yang, a sole owner by deed dated February 15, 2012 and recorded February 21, 2012 in the Recorder's Office of said County in Book 2012-1, Page 38782.

Improvements:

Thereon being erected a two-story single dwelling with brick exterior, shingle roof and detached two-car garage.

Attorneys:

Tucker Arensberg, PC

No. 41
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-07457

Location:

3124 Glen Avenue, Easton, PA
18045

Parcel ID:

M9SW1/43/5/0324

Reputed Owners:

Eric Douglas Hays and Lisa Ann Hays

All that certain piece, parcel or tract of land situate in the Township of Palmer, County of Northampton and Commonwealth of Pennsylvania.

Title to said Premises vested in Eric Douglas Hays, married and Lisa Ann Hays, his wife as tenants by the entirety by Deed from Jason M. O'Grady, married and Tania M. O'Grady, his wife dated April 30, 2002 and recorded on May 2, 2002 in the Northampton County Recorder of Deeds in Book 2002-1, Page 115548.

Improvements:

Thereon being erected a two-story single dwelling with vinyl siding, shingle roof and attached two-car garage.

Attorneys:

Milstead & Associates, LLC

No. 43**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-07937****Location:**

11 West 2nd Street, Unit 134,
Bethlehem, PA 18015

Parcel ID:

P6/2/134/0204

Reputed Owner:

Louis P. Pektor a/k/a Louis P.
Pektor, III

ALL THAT CERTAIN UNIT, designated as 11 W. Second Street, Suite 134, being Unit #134 in the Lehigh Riverport Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania.

BEING THE SAME PREMISES which Lehigh Riverport Realty, L.P. Successor by Merger to Lehigh Riverport Development LLC, by Deed dated 10/19/06 and recorded 1/19/07 in the Office of the Recorder of Deeds in and for the County of Northampton, in Deed Book 2007-1, Page 25810, and Instrument #2007003270, granted and conveyed unto Louis P. Pektor III, in fee.

Improvements:

Thereon being erected a condominium-style dwelling inside a large building complex.

Attorneys:

Shapiro & DeNardo, LLC

No. 44**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-07373****Location:**

107 Cherry Hill Road, Nazareth,
PA 18064

Parcel ID:

J7NE2/4/10/0406

Reputed Owner:

David Omura

ALL THAT CERTAIN messuage or tenement and lots or two (2) pieces of land situate in the Township of Bushkill, County of Northampton and State of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN David Omura, married, by Deed from Patsy L. Emery, widow, dated 10/16/2009, recorded 10/19/2009 in Book 2009-1, Page 265299.

Improvements:

Thereon being erected a ranch-style dwelling with aluminum siding, shingle roof and attached two-car garage.

Attorneys:

Phelan Hallinan Diamond &
Jones, LLP

No. 45**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-07047****Location:**

2505 Margaret Court, Easton, PA
18040-5814

Parcel ID:

K9/10/6-240-0311

Reputed Owners:

Carlos E. Lengua a/k/a Carlos
Lengua and Claudia E. Lengua a/k/a
Claudia Lengua

All that certain lot or piece of ground situate in the Subdivision known as 'Penn's Ridge' in Forks Township, City of Easton, County of Northampton, Commonwealth of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Carlos Lengua and Claudia Lengua, h/w, by Deed from Hornstein Enterprises, Inc., a Pennsylvania Corporation, dated 02/23/2004, recorded 03/22/2004 in Book 2004-1, Page 105229.

Improvements:

Thereon being erected a two-story half-double dwelling with brick exterior, shingle roof and attached two-car garage.

Attorneys:

Phelan Hallinan Diamond & Jones, LLP

No. 46

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-01751**

Location:

403 Packer Street, Easton, PA 18042

Parcel ID:

M9NW2B/5/1/0310

Reputed Owner:

Ana Gabriela Diego

ALL THAT CERTAIN lot or piece of ground situate in the City of Easton, County of Northampton, Commonwealth of Pennsylvania;

BEING THE SAME PREMISES which Jason Grantham, by Deed dated 3/30/09 and recorded 4/8/09 in the Office of the Recorder of Deeds in and for the County of Northampton, in Deed Book 2009-1, Page 77937, and Instrument #2009010855, granted and conveyed unto Ana Gabriela Diego, in fee.

Improvements:

Thereon being erected a two-story single dwelling with vinyl siding and shingle roof.

Attorneys:

Shapiro & DeNardo, LLC

No. 47

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-06958**

Location:

133 Bangor Street, Bangor, PA 18013

Parcel ID:

E9NE2A/3/14D-1/0102

Reputed Owners:

Mark A. Klinge and Cameron E. Klinge

All that certain lot or parcel of land situate in the Borough of Bangor, County of Northampton, Commonwealth of Pennsylvania, being Lot No.1 as shown on a plan of a subdivision of land of Joseph D'Agostino and Sandra D'Agostino, being recorded on Plan Book 1995-5, Page 36.

Title to said Premises vested in Mark A. Klinge by Deed from Ivan P. Farnack and Roberta A. Farnack, husband and wife dated May 29, 2002 and recorded on June 3, 2002 in the Northampton County Recorder of Deeds in Book 2002-1, Page 141589 as Instrument No. 2002027721.

Improvements:

Thereon being erected a two-story half-double dwelling with vinyl siding and shingle roof.

Attorneys:

Milstead & Associates, LLC

No. 48

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-07027**

Location:

506 South Greenwood Avenue, Easton, PA 18045

Parcel ID:

M8NE2/5/16/0324

Reputed Owner:

Albert J. Cleffi

ALL THAT CERTAIN messuage, tenement, lot or piece of land situate in the Township of Palmer, County of Northampton and Commonwealth of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Albert J. Cleffi, by Deed from Kristin L. Cleffi, dated 05/09/2008, recorded 05/15/2008 in Book 2008-1, Page 144449.

Improvements:

Thereon being erected a two-story half-double dwelling with vinyl siding and shingle roof.

Attorneys:

Martha E. Von Rosenstiel, PC

No. 49

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-05534**

Location:

3734 Lehigh Drive, Northampton, PA 18067

Parcel ID:

J4/6/11/0516

Reputed Owners:

Todd A. Dancsecs and Amy M. Dancsecs

ALL THAT CERTAIN tract, piece or parcel of land, together with the buildings erected thereon, situate, lying and being in the Village of Pennsville, Township of Lehigh, County of Northampton, Commonwealth of Pennsylvania.

Title to said premises is vested in Todd A. Dancsecs and Amy M. Dancsecs, husband and wife, by deed from Todd A. Dancsecs and Amy M. Dancsecs, husband and wife dated November 11, 1998 and recorded November 25, 1998 in Deed Book 1998-1, Page 163310 Instrument Number 1998050206.

Improvements:

Thereon being erected a ranch-style dwelling with vinyl siding, shingle roof and detached one-car garage.

Attorneys:

McCabe Weisberg & Conway, PC

No. 50

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2014-00947**

Location:

1034 Washington Street, Easton, PA 18042

Parcel ID:

L9SE1D/27/7/0310

Reputed Owners:

Jessica Martin and David S. Brown

ALL THAT CERTAIN messuage or tenement and tract of land known as 1034 Washington Street, situated on the south side of Washington Street, in the 7th Ward of the City of Easton, County of Northampton and State of Pennsylvania, between 10th and 11th Streets.

BEING THE SAME PREMISES which Tom Nguyen, by Deed dated June 18, 2008 and recorded July 8, 2008 in the Office of the Recorder of Deeds in and for Northampton County at Easton Pennsylvania in Record Book Volume 2008-1 Page 199814, Instrument Number 2008027387, granted and conveyed unto Jessica Martin and David S. Brown.

Improvements:

Thereon being erected a two-story single dwelling with vinyl siding, shingle roof and detached three-car garage.

Attorneys:

Hladik Onorato & Federman, LLP

No. 51

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2015-08663**

Location:

27 Lincoln Street, Wind Gap, PA 18091

Parcel ID:

E8SW4D/2/4/0638

Reputed Owner:

Rae Ann Ludwig

ALL THAT CERTAIN tenement, tract, parcel or piece of land situate in the Borough of Wind Gap, County of Northampton and State of Pennsylvania.

BEING THE SAME PREMISES which Salvatore Burriesci and Laurie A. Burriesci, formerly known as Laurie A. Marositz, husband and wife, by Deed dated October 31, 2007 and recorded November 2, 2007 in the Office of the Recorder of Deeds in and for Northampton County at Easton Pennsylvania in Record Book Volume 2007-1 Page 401402, Instrument Number 2007052144, granted and conveyed unto Rae Ann Ludwig.

Improvements:

Thereon being erected a two-story single dwelling with 1/2-brick and 1/2-vinyl exterior, shingle roof and attached two-car garage.

Attorneys:

Hladik Onorato & Federman, LLP

No. 52

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-03703**

Location:

71 East Walnut Street, Bethlehem, PA 18018

Parcel ID:

P6NE1D/13/10/0204

Reputed Owners:

Tiffany R. Byrd and Michael T. Byrd

ALL THAT CERTAIN lot or piece of ground with the messuage or tenement thereon erected, situate on the northwest corner of School Street (formerly School Alley) and Walnut Street, in the City of Bethlehem, County of Northampton, and Commonwealth of Pennsylvania.

BEING THE SAME PREMISES which Tiffany R. Byrd, married, by Deed dated February 23, 2004 and recorded March 4, 2014 in the Office of the Recorder of Deeds in and for Northampton County at Easton Pennsylvania in Record Book Volume 2004-1 Page 82340, Instrument Number 2004015589, granted and conveyed unto Michael T. Byrd and Tiffany R. Byrd, husband and wife.

Improvements:

Thereon being erected a two-story apartment building with aluminum, vinyl and wood exterior and shingle roof.

Attorneys:

Hladik Onorato & Federman, LLP

No. 53

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-04870**

Location:

1032 West Berwick Street, Easton, PA 18042

Parcel ID:

M9NE1A/5/21/0310

Reputed Owners:

Unknown Heirs of Louisa A. Hower, deceased; Alyssa Shuppe, Deanna Hower, Krystal Shuppe, Sherri Hower, Brian Hower, Dwayne Hower, Garry Shuppe, Michael Hower and Ronald Hower, solely in their capacities as Heirs of Louisa A. Hower, deceased

ALL THOSE TWO CERTAIN lots of ground, known as Lots No. 121 and 122, on plan of Packer Farm, made for Packer Land and Improvements Co., by Richard E. Chism, with improvements thereon erected, situate in the City of Easton, County of Northampton and State of Pennsylvania.

BEING THE SAME PREMISES granted and conveyed unto Louisa A. Hower, widow, by deed from Louisa A. Howers, widow, and Sherri A. Hower, said deed dated 11/19/2010 and recorded 02/25/2011 as Instrument Number 2011005887 in Volume 2011-1, page 44441.

Improvements:

Thereon being erected a two-story single dwelling with aluminum siding and brick exterior, shingle roof and detached out building.

Attorneys:

KML Law Group, PC

No. 54
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2016-02853

Location:

3 Stone Creek Court, Easton, PA
 18045

Parcel ID:

K9/1/1-14A/0324

Reputed Owners:

Shaunice Adams-Rowlette a/k/a
 Shaunice Rowlette and Dirk S.
 Rowlette a/k/a Dirk Rowlette

ALL THAT CERTAIN parcel of land
 known as Lot NO. 3-14 located in
 Palmer Township, Northampton
 County, Commonwealth of Pennsyl-
 vania as shown on a plan entitled
 "The Villages At Mill Race Record Plan
 Phase III" prepared by Harte Engi-
 neering, Inc.

Being the same premises granted
 and conveyed Dirk S. Rowlette and
 Shaunice Rowlette by deed from CMC
 Development Corporation, dated
 8/3/2007 and recorded 8/7/2007 in
 Book 2007 Page 289787.

Improvements:

Thereon being erected a two-story
 single dwelling with vinyl siding,
 shingle roof and attached two-car
 garage.

Attorneys:

KML Law Group, PC

No. 55
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-06219

Location:

938 Itaska and 936 Itaska Street,
 Bethlehem, PA 18015

Parcel IDs:

P6SW3A/6/20/0204 and
 P6SW3A/6/21A/0204

Reputed Owner:

Rosa M. Gomez

TRACT NO. 1

ALL THAT CERTAIN tract of land
 with the improvements thereon

erected known as No. 938 Itaska
 Street, situate partly in the City of
 Bethlehem, (formerly Borough of
 South Bethlehem), County of
 Northampton and partly in the
 Township of Salisbury, County of
 Lehigh, both in the State of Pennsyl-
 vania.

TRACT NO. 2

ALL THAT CERTAIN lot or piece of
 ground lying on the South side of
 Itaska Street, situate partly in the City
 of Bethlehem, County of Northamp-
 ton, and partly in the Township of
 Salisbury, County of Lehigh.

BEING THE SAME PREMISES
 which John M. Mroshinskie, Agent
 for Helen Mroshinskie a/k/a Helen
 J. Mroshinskie, by his Deed dated
 January 31, 2001 and recorded
 February 19, 2001 in the Recorder of
 Deeds Office of Northampton County,
 in Deed Book 2001-1, page 23893
 and recorded March 27, 2001, in the
 office of the Recorder of Deeds of
 Lehigh County in Book 1680, page
 872, granted and conveyed unto Rosa
 M. Gomez.

Improvements:

Parcel one having a two-story half-
 double dwelling with brick exterior,
 shingle and slate roof, and detached
 two-car garage; parcel two being
 vacant land.

Attorneys:

Norris, McLaughlin & Marcus, PA

A Schedule of Distribution will be
 filed by the Sheriff thirty days from
 the date of the sale and distribution
 will be made in accordance with the
 schedule unless exceptions are filed
 thereto within ten days from the date
 of filing the Schedule of Distribution.

DAVID J. DALRYMPLE

Sheriff

Northampton County,
 Pennsylvania

DAVID J. CERAUL, ESQUIRE

Solicitor to the Sheriff

Jan. 19, 26; Feb. 2



PAT TOOMEY

U.S. Senator *for* Pennsylvania

For Immediate Release: January 19, 2016

Contact: Steve Kelly (610) 434-1444

Senators Casey and Toomey Continue Bipartisan Partnership to Fill Federal Vacancies

WASHINGTON, DC—U.S. Senators Bob Casey (D-Pa.) and Pat Toomey (R-Pa.) announced today that they are accepting and reviewing applications for a presidential appointment to the positions of U.S. Attorney and U.S. Marshal in Pennsylvania. The Senators are continuing a bipartisan partnership to help select and vet candidates the president may nominate.

Pennsylvania has a long history of cooperation between its two U.S. senators on filling federal vacancies. Sens. Casey and Toomey intend to work with President-elect Trump to continue this tradition. Both senators share the goal of appointing U.S. Attorneys and Marshals who demonstrate intelligence, extensive prior experience, and unquestioned honesty and integrity.

“U.S. Attorneys and Marshals are critical to keeping our communities safe. We are pleased to continue our bipartisan work to ensure that the most capable, knowledgeable, and ethical candidates will hold these important positions in Pennsylvania,” **Sens. Casey and Toomey said.**

Persons interested in being considered for an appointment as a **U.S. Attorney** should send an email to the applicable address below by midnight February 27, or visit www.toomey.senate.gov.

U.S. Attorney for the Eastern District: USAttyAppEDPA@toomey.senate.gov

U.S. Attorney for the Middle District: USAttyAppMDPA@toomey.senate.gov

U.S. Attorney for the Western District: USAttyAppWDPA@toomey.senate.gov

Persons interested in being considered for an appointment as a **U.S. Marshal** should send an email to the applicable address below by midnight February 27, or visit www.toomey.senate.gov.

U.S. Marshal for the Eastern District: MarshalAppEDPA@toomey.senate.gov

U.S. Marshal for the Middle District: MarshalAppMDPA@toomey.senate.gov

U.S. Marshal for the Western District: MarshalAppWDPA@toomey.senate.gov

Feb. 2

Associate and Legal Secretary Positions Available

Saltzman & Gordon, LLC an established Lehigh Valley family law firm is now seeking a full-time associate, part-time associate, full-time legal secretary and part-time legal secretary. Preferred applicants should have a minimum of 3 years' experience in family law. Please send resume and cover letter to: flash01pa@yahoo.com or via fax to (610) 435-7652. All correspondence will be strictly confidential.

Feb. 2

CECELIA COUSINS, Plaintiff v. LUIS D. RIVERA and 123 HORNS LLC c/o UNITED STATES CORPORATION AGENTS, INC. and JOHN SILVESTER and SARAH SILVESTER and CITY OF BETHLEHEM, Defendants

Motion for Summary Judgment—Premises Liability—Political Subdivision Tort Claims Act—Trivial Defect.

Plaintiff tripped on a brick in the sidewalk in front of 123 W. 4th Street, Bethlehem, Pennsylvania (“Property”), causing her to fall and sustain injuries. Plaintiff brought suit against the city of Bethlehem (“City”) and against Luis D. Rivera (“Rivera”), the owner of the Property. Both defendants moved for summary judgment.

City argued that because Plaintiff failed to show that it had notice of the alleged defect in the sidewalk, she could not sustain a *prima facie* negligence claim and City was immune from liability under the Political Subdivision Tort Claims Act (“PSTCA”). The Court found that a complaint that was sent to City by a private citizen, which complained of broken bricks and sidewalk defects in an area containing the Property, as well as City’s response to the complaint, which consisted of an inspection to the area, indicated that City had at least constructive notice of the alleged defect. Thus, the Court denied City’s motion for summary judgment.

Rivera argued that the alleged defect was trivial, thus precluding liability. Rivera also argued, alternatively, that the alleged defect was open and obvious, thus barring Plaintiff from recovering. Because there were issues of fact regarding the nature of the alleged defect, Rivera’s trivial defect argument was unavailing. In addition, the factual record did not support the theory that the alleged defect was open and obvious. For these reasons, the Court denied Rivera’s motion for summary judgment.

In the Court of Common Pleas of Northampton County, Pennsylvania,
Civil Action—No. C-48-CV-2014-552.

DANIEL BREEN, ESQUIRE, for Plaintiff.

PAUL M. SCHAFER, ESQUIRE, for Defendant Luis D. Rivera.

BRIAN J. TAYLOR, ESQUIRE, for Defendant City of Bethlehem.

Order of the Court entered on May 11, 2016 by BELTRAMI, J.

OPINION

This case is before the Court on Defendant City of Bethlehem’s “Motion for Summary Judgment Pursuant to the Pennsylvania Political Subdivision Tort Claims Act and Lack of Evidence Under Pennsylvania Negligence Law” (“City’s Motion”), filed on January 29, 2016, and “Defendant Luis D. Rivera’s Motion for Summary Judgment” (“Rivera’s Motion”), filed on the same date. Plaintiff filed responses to both motions on February 29, 2016. Briefs have been filed, oral argument was heard on March 22, 2016, and the matters are ready for disposition.

On January 27, 2014, Plaintiff filed a Complaint alleging that, on February 6, 2012, she tripped on a defect in a sidewalk (“Sidewalk”) lo-

cated in front of 123 West 4th Street, Bethlehem, Northampton County, Pennsylvania (“the Property”) and, as a result, sustained personal injuries. (Compl. ¶¶7, 9-12.) On April 15, 2014, Defendant City of Bethlehem (“City”) filed an Answer and New Matter to the Complaint and a Cross-Claim against Defendant Luis D. Rivera (“Rivera”). On April 30, 2014, Plaintiff filed a Reply to City’s New Matter. On March 6, 2015, Rivera filed an Answer with New Matter to the Complaint and a Cross-Claim against City. On the same date, Rivera filed a Reply to City’s Cross-Claim. On March 11, 2015, Plaintiff filed a Reply to Rivera’s New Matter. On March 23, 2015, City filed a Reply to Rivera’s Cross-Claim. On August 21, 2015, a Stipulation was filed that dismissed all claims against Defendants 123 Horns LLC, John Silvestera and Sarah Silvestera. The pleadings are now closed.

The record, viewed in the light most favorable to Plaintiff, reveals the following facts. At the time she fell, Plaintiff had worked for an accounting firm next door to the Property for approximately ten years. (Rivera’s Mot. ¶4, Ex. B at 8:10-24, 58:7-12; Pl.’s Resp. to Rivera’s Mot. ¶4.) During the time that she worked next door to the Property, Plaintiff often hand-delivered payroll documents to one of her firm’s clients by walking back and forth across the Sidewalk, which is what she was doing on the day she fell. (Rivera’s Mot. ¶5, Ex. B at 14:19-17:24; Pl.’s Resp. to Rivera’s Mot. ¶5.) Throughout this ten-year period, Plaintiff walked on the Sidewalk approximately 1,000 times. (Rivera’s Mot. ¶6, Ex. B at 18:1-9; Pl.’s Resp. to Rivera’s Mot. ¶6.) The Sidewalk is “a decorative sidewalk, consisting of a block of concrete surrounded by a single row of bricks, such that when a person walked along the sidewalk [he or she] would cross a single row of brick, then a section of concrete, then another single row of brick, [and] then another section of concrete,” with a gap, approximately one inch in width, separating the bricks from the concrete. (Rivera’s Mot. ¶¶7-8, Ex. B at 82:4-85:4, Ex. C; Pl.’s Resp. to Rivera’s Mot. ¶¶7-8.) At one time, the gaps between the bricks and the concrete were filled in with concrete or mortar, but much of it has eroded over time. (Rivera’s Mot. ¶9, Ex. B at 84:21-85:23; Pl.’s Resp. to Rivera’s Mot. ¶9.)

On the date of the incident, Plaintiff was walking on the Sidewalk when the front of her right flat boot got caught on a brick, causing her to fall. (Rivera’s Mot. ¶10, Ex. B at 20:12-22:14, 87:1-20; Pl.’s Resp. to Rivera’s Mot. ¶10; Pl.’s Br. in Opp’n to City’s Mot. Ex. A at 13.) Plaintiff had walked over the same area while wearing flat boots in the past and had never fallen. (Rivera’s Mot. Ex. B at 87:21-88:3.) After the incident, Plaintiff drew an “X” on the brick on which she believes she tripped and took a photograph of the brick. (*See id.* Ex. C.) However, Plaintiff did not actually see the brick that she tripped on at the time of her fall. (*Id.* Ex. B at 93:10-14.) The brick that Plaintiff believes she tripped on is slightly elevated in comparison to the bricks adjacent to it, and to the walking surface,

and has a broken corner. (*Id.* Ex. B at 92:14-93:5; Pl.’s Br. in Opp’n to City’s Mot. Exs. A-B.) Plaintiff was looking straight ahead, not down at the ground, when she fell. (Rivera’s Mot. Ex. B at 136:10-16.) The police officer who responded to the scene of Plaintiff’s fall noted that “[n]one of the brick[]work appeared to be damaged or dangerously protruding from the [S]ide[]walk.” (City’s Br. Ex. F at 2.)

Plaintiff’s fall occurred at approximately 11:00 a.m. (Rivera’s Mot. Ex. B at 10:3-5.) On the morning of the incident, it was cold, the sun was beginning to come out, and the Sidewalk was dry and bare. (*Id.* at 12:24-14:2.) On one occasion in the past, Plaintiff called City and complained about broken bricks on certain sidewalks but not the Sidewalk at issue. (*Id.* at 88:4-89:2, 146:21-147:17.) In her ten years working next door to the Property, Plaintiff observed the brickwork in the Sidewalk deteriorating but never witnessed any repairs being done to the Sidewalk. (*Id.* at 152:24-153:22.)

At the time of Plaintiff’s fall, the Property was owned by Rivera. (City’s Br. Ex. B at 12:19-13:2.) Pursuant to the lease between Rivera and the tenants who operated a restaurant at the Property, Rivera was responsible for fixing defects in the Sidewalk should any repairs become necessary. (*Id.* at 17:2-19.) Rivera purchased the Property sometime around 2007, at which time the Sidewalk was the same “mix of cement and bricks” that it was at the time of the accident. (*Id.* at 18:21-19:8.) Following his purchase of the Property, Rivera’s only inspections of the Sidewalk were visual inspections he made while walking by. (*Id.* at 19:9-17.) Rivera has never repaired any part of the Sidewalk in front of the Property. (*Id.* at 19:18-22.) Subsequent to Plaintiff’s fall, Rivera visually inspected the Sidewalk, concluding there was “nothing wrong with” it. (*Id.* at 23:20-25.) Rivera is not aware of anyone else falling on the Sidewalk before Plaintiff did. (*Id.* at 25:3-11.) Rivera never notified City of a defect in the Sidewalk nor is he aware of anyone else doing so. (*Id.* at 31:12-18.)

Matthew Dorner (“Dorner”) has worked for City as its Chief Engineer for nine years. (*Id.* Ex. C at 8:14-16, 9:12-22.) According to Dorner, the brickwork in the Sidewalk was installed in approximately 1981 or 1982. (*Id.* at 14:5-7.) City designed the brick and concrete pattern used in the Sidewalk. (*Id.* at 14:16-22.) Pursuant to City Ordinance 909.01, property owners are responsible for maintaining sidewalks abutting their property in a safe condition and for making repairs “upon service of a written notice to do so by the Director of Public Works.” (*Id.* at 16:2-5; Bethlehem Local Ordinance 909.01.) City does not conduct independent inspections of sidewalks but only investigates a specific area if it receives a complaint about it. (City’s Br. Ex. C at 16:15-17:5.)

In April 2010, a private citizen named Edwin Rodriguez (“Rodriguez”) sent a letter to City (“Rodriguez Complaint”) in which he complained about the poor condition of the sidewalks near the intersection of Broadway

and West 4th Street, which is an area near the Property. (*Id.* at 17:6-20:1, Ex. E.) In response to the Rodriguez Complaint, City inspected the sidewalks from 1 West 4th Street through 151 West 4th Street, which includes the Property, which is located at 123 West 4th Street, and the Sidewalk. (*See id.* Ex. C at 23:10-21, 25:14-26:7, 26:20-27:6, 28:16-22, 29:13-17, Ex. D.) Following the inspection, City sent letters to some of the property owners notifying them that repairs were required to the sidewalks in front of their properties. (*Id.* Ex. C at 35:22-36:18, Ex. D.) In fact, such letters were sent to the owners of 119 West 4th Street and 129 West 4th Street. (*Id.* Ex. D.) The Property is located in between these two properties, making it reasonable to infer that the Sidewalk was inspected by the City as a result of the Rodriguez Complaint. Dorner testified that if City conducts an inspection of an area and discovers a defect in an adjacent area that was not complained about, it does not ignore the defect but notifies the property owner if repairs are necessary. (*Id.* Ex. C at 37:15-38:6.) City did not send a letter to Rivera regarding a defect in the Sidewalk in front of the Property. (*Id.* at 35:9-14.) In addition to the letters issued by City, the inspection resulted in repairs to the “tree grates” at several locations in the area of West 4th Street that was inspected. (*Id.*)

Plaintiff retained [John S. Posusney, P.E.,] an engineer[,]
to inspect the [Sidewalk] and perform an engineering evaluation. Mr. Posusney’s inspection revealed a horizontal gap of 1
inch between the brick and the adjacent concrete pad. The gap
was filled with a joint material which he measured to be 0.5625
inch[es] below the top of the brick.

(Rivera’s Mot. ¶13, Ex. D; Pl.’s Resp. to Rivera’s Mot. ¶13; Pl.’s Br. in Opp’n to City’s Mot. Ex. A.) City “also retained an engineer[, M. Arif Fazil, P.E.,] to inspect the [Sidewalk] and perform an engineering evaluation. Mr. Fazil found that the vertical change in walking level between the brick and the adjacent concrete block, which had not been measured by [P]laintiff’s engineer, was only 0.212 inch[es].” (Rivera’s Mot. ¶14, Ex. E; Pl.’s Resp. to Rivera’s Mot. ¶14; Pl.’s Br. in Opp’n to City’s Mot. Ex. B.)

Plaintiff’s expert opines that “[g]iven the use of individual 4 by 8 brick pavers and that some pavers interfaced with concrete block members, it was foreseeable that changes in walking level would occur and would have to be corrected” and that, as a result, “[t]he incident sidewalk should be inspected on a daily basis.” (Pl.’s Br. in Opp’n to City’s Mot. Ex. A at 5.) Plaintiff’s expert is also of the opinion that City knew or should have known about the hazard posed by the Sidewalk, as “[t]he abrupt vertical change in level at the [Sidewalk] was a longstanding hazardous and dangerous condition.” (*Id.* at 7.)

City’s expert’s opinion is that the “conditions at the [Sidewalk] have a minimal risk of creating a potential tripping hazard, but the [S]idewalk does need to be maintained or possibly reconstructed to address slight el-

evation changes between the brick and concrete surfaces.” (*Id.* Ex. B at 1.) City’s expert goes on to state that “[t]he chipped section of brick paver may add to the potential tripping hazard.” (*Id.*) City’s expert also opines that the Sidewalk is of the sort that requires “periodic inspection and evaluation with replacement, reconstruction[,] and maintenance of any areas that require repair” and that such maintenance “appears to have been limited” with regard to the Sidewalk. (*Id.* at 2.) Finally, City’s expert believes that the .212-inch difference in elevation between the brick allegedly causing Plaintiff’s fall and the adjacent walking surface “is below the tolerance requiring corrective action.” (*Id.* at 3.)

City moves for summary judgment on two grounds. First, City argues that it is immune from liability under the Political Subdivision Tort Claims Act (“PSTCA”), 42 Pa. C.S.A. §§8541-42. Alternatively, City argues that Plaintiff has failed to produce evidence sufficient for a jury to find that it was negligent. Rivera also moves for summary judgment on two grounds. First, Rivera argues that the defect at issue was “trivial,” precluding Plaintiff from recovering as a matter of law. Alternatively, Rivera argues that Plaintiff has failed to produce evidence sufficient for a jury to find that he breached his duty of care to Plaintiff.

Pennsylvania Rule of Civil Procedure 1035.2 and applicable case law establish the standard of review relevant to motions for summary judgment as follows:

After the relevant pleadings are closed, but within such time as not to unreasonably delay trial, any party may move for summary judgment in whole or in part as a matter of law

...

(2) if, after the completion of discovery relevant to the motion, including the production of expert reports, an adverse party who will bear the burden of proof at trial has failed to produce evidence of facts essential to the cause of action ... which in a jury trial would require the issues to be submitted to a jury.

Pa. R.C.P. No. 1035.2.

Summary judgment may only be granted when the record clearly shows that no genuine issue of material fact exists and that the moving party is entitled to judgment as a matter of law. *Weissberger v. Myers*, 90 A.3d 730, 733 (Pa. Super. 2014). The moving party bears the burden of proving that no genuine issue of material fact exists. *Barnish v. KWI Building Company*, 916 A.2d 642, 645 (Pa. Super. 2007). In deciding a motion for summary judgment, the record must be viewed in the light most favorable to the non-moving party, and any doubt as to the existence of a genuine issue of material fact must be resolved against the moving party. *Smith v. Township of Richmond*, 623 Pa. 209, 221, 82 A.3d 407, 415 (2013). Even where the facts are agreed upon, summary judgment cannot be entered if the facts can support conflicting inferences. *Washington v. Baxter*, 553 Pa. 434, 447 n.10, 719 A.2d 733, 740 n.10 (1998).

The party opposing a motion for summary judgment may not rest upon the mere allegations or denials of the pleadings but must file a response within thirty days after service of the motion identifying

... .

(2) evidence in the record establishing the facts essential to the cause of action ... which the motion cites as not having been produced.

Pa. R.C.P. No. 1035.3(a). In other words, the “[f]ailure of a non-moving party to adduce sufficient evidence on an issue essential to [its] case and on which he bears the burden of proof establishes the entitlement of the moving party to judgment as a matter of law.” *Babb v. Centre Community Hospital*, 47 A.3d 1214, 1223 (Pa. Super. 2012) (citation omitted). In deciding a motion for summary judgment, the “record” available for the Court’s examination includes the pleadings, discovery materials, affidavits, and expert reports. Pa. R.C.P. No. 1035.1.

ANALYSIS

The Court will first analyze City’s PSTCA defense. City’s primary argument in connection with that defense is that it had no notice of a potentially dangerous condition of the Sidewalk. Next, the Court will analyze Rivera’s trivial defect argument. Lastly, because both City and Rivera argue that Plaintiff has failed to produce sufficient evidence to submit her negligence claims to a jury, with a particular focus on a purported lack of evidence that either party breached its duty of care, the Court will analyze these arguments together.

PSTCA Immunity

“[N]o local agency shall be liable for any damages on account of any injury to a person or property caused by any act of the local agency or an employee thereof or any other person.” 42 Pa. C.S.A. §8541. However, a local agency may be liable for

[a] dangerous condition of sidewalks within the rights-of-way of streets owned by the local agency, except that the claimant to recover must establish that the dangerous condition created a reasonably foreseeable risk of the kind of injury which was incurred and that the local agency had actual notice or could reasonably be charged with notice under the circumstances of the dangerous condition at a sufficient time prior to the event to have taken measures to protect against the dangerous condition.

42 Pa. C.S.A. §8542(b)(7). “Because of the clear intent to insulate government from exposure to tort liability, the exceptions to immunity are to be strictly construed.” *Metropolitan Edison Company v. City of Reading*, 125 A.3d 499, 502 (Pa. Commw. 2015) (quoting *Lockwood v. City of Pittsburgh*, 561 Pa. 515, 751 A.2d 1136, 1139 (2000)).

There is no dispute here that the primary danger posed by an elevated and/or chipped brick is that someone will trip and fall on it. Thus, the issue is whether City had actual notice or could reasonably be charged with notice of the condition of the Sidewalk at a sufficient time prior to Plaintiff's fall to have taken protective measures. City argues that "Plaintiff failed to produce any witnesses or written proof that ... City was ever notified, directly or circumstantially, of any alleged or potential defect in the [S]idewalk." (City's Br. 4-5.)

City's argument clearly overlooks the Rodriguez Complaint, which the Court determines was alone sufficient, especially in light of City's response to it, to put City on at least constructive notice of a potential hazard on the Sidewalk. The Rodriguez Complaint was primarily focused on "sidewalks" and "broken bricks," both of which are mentioned several times therein. Directly in response to the Rodriguez Complaint, City inspected the sidewalks on that side of West 4th Street from 1 West 4th Street through 151 West 4th Street and sent letters to the owners of 119 West 4th Street and 129 West 4th Street, notifying them of conditions on the sidewalks in front of their properties requiring repairs. As noted above, the Sidewalk is located at 123 West 4th Street, directly between two properties found to have defective tree grates, which are found on sidewalks. Based upon the above evidence, the jury would be more than within its province to infer that City, in response to the Rodriguez Complaint about broken sidewalk bricks on West 4th Street, inspected or should have inspected the Sidewalk, thus obtaining at least constructive notice of its potentially defective condition. "It is within the purview of the fact finder [sic] to draw all reasonable inferences from the evidence" *Ellis v. City of Pittsburgh*, 703 A.2d 593, 594 (Pa. Commw. 1997).

Also working in Plaintiff's favor are her expert's description of the allegedly defective Sidewalk as "longstanding" and City's expert's opinion that the thirty-year-old Sidewalk required periodic maintenance but received none. In *Ellis*, the Commonwealth Court affirmed the trial court's finding that "progressive deterioration of ... steps over a nineteen-month period" weighed in favor of charging the City of Pittsburgh with at least constructive notice of the steps' defective condition. *Id.* Here, the Sidewalk went without maintenance for a period far longer than nineteen months, during which time, viewing the evidence in Plaintiff's favor, deterioration no doubt occurred.¹ Lastly, given the fact that the Rodriguez Complaint was received

¹ To attempt to rebut this conclusion, City cites to *Dreher v. Williamsport Parking Authority*, No. 1868 C.D. 2011, 2012 WL 8695523 at *6 (Pa. Commw. Apr. 26, 2012), an unreported, non-precedential case in which the Commonwealth Court distinguished *Ellis* on the ground that, unlike in *Ellis*, there were no facts that the sidewalk in question was so deteriorated that an inference could be drawn that it was deteriorating for a sufficient period of time prior to the plaintiff's fall for the defendants to repair it. Unlike the record in *Dreher*, the record in the instant case contains evidence that the Sidewalk had deteriorated since its installation in 1981 or 1982. Thus, *Dreher* is not persuasive.

in 2010 and Plaintiff fell in February 2012, the record demonstrates that City had constructive notice “at a sufficient time prior to the event to have taken measures to protect against the dangerous condition.” 42 Pa. C.S.A. §8542(b)(7). For all of the above reasons, City is not entitled to summary judgment based upon the PSTCA.

Trivial Defect

It is well-settled that a sidewalk defect may be so trivial that a court must hold, as a matter of law, that the property owner was not negligent in allowing its existence. *See Bosack v. Pittsburgh Railways Company*, 410 Pa. 558, 563, 189 A.2d 877, 880 (1963); *Henn v. City of Pittsburgh*, 343 Pa. 256, 258, 22 A.2d 742, 744 (1941). ‘What constitutes a defect sufficient to render the property owner liable must be determined in the light of the circumstances of the particular case, and except where the defect is obviously trivial, that question must be submitted to the jury.’ *Breskin v. 535 Fifth Avenue*, 381 Pa. 461, 463, 113 A.2d 316, 318 (1955) (internal quotations and citation omitted). However, there is no mathematical or bright-line rule that can be used to determine ‘the depth or size of a sidewalk depression necessary to convict an owner of premises of negligence in permitting its continued existence.’ *Id.* at 464, 113 A.2d at 318. The surrounding circumstances must be examined in each case. *McGlinn v. City of Philadelphia*, 322 Pa. 478, 480, 186 A. 747, 748 (1936).

... Our Supreme Court has consistently held as a matter of law that defendants are not liable for negligence when a sidewalk defect is obviously trivial. *See Bosack* ... (citing cases concerning sidewalk defects, our Supreme Court granted the defendant railway company’s motion for judgment n.o.v. because the plaintiff failed to establish that the street defect constituted actionable negligence); *Harrison v. City of Pittsburgh*, 353 Pa. 22, 44 A.2d 273 (1945) (affirming the trial court’s judgment n.o.v. in favor of the defendant city and the defendant property owner because the elevation on the sidewalk was trivial); *Van Ormer v. City of Pittsburgh*, 347 Pa. 115, 31 A.2d 503 (1943) (affirming the trial court’s judgment as a matter of law in favor of the defendant city and the defendant property owner because the sidewalk defect was a common and usual irregularity found within cities); *McGlinn* (affirming the trial court’s judgment as a matter of law in favor of the defendant city because the plaintiff failed to present evidence that the sidewalk defect gave rise to actionable negligence).

Our Supreme Court has consistently stated that questions of whether a sidewalk defect is trivial and whether a defendant has been negligent in permitting the sidewalk defect to exist should be submitted to the jury when there are genuine issues of material fact based on the surrounding circumstances. *See Massman v. City of Philadelphia*, 430 Pa. 99, 241 A.2d 921 (1968) (denying the defendant city's motion for judgment n.o.v. because the dimensions of the defect and the surrounding circumstances provided questions for the trier of fact to decide); *Breskin* (granting a new trial because the surrounding circumstances prevented judgment as a matter of law that the sidewalk defect was trivial); *Henn* (affirming that, based on the surrounding circumstances, the question of whether the city was negligent in permitting a sidewalk defect to exist was for the jury to decide).

In *Breskin*, a woman walking along a crowded sidewalk in downtown Pittsburgh was forced to the side of the sidewalk where she stepped in a wedge in the broken cement that was approximately four to five inches long and one to one and one-half inches deep; she fell forward, sustaining injuries. The woman and her husband filed a trespass action for personal injuries against the property owner. The trial court granted the property owner's motion for binding instructions to the jury because the woman and her husband's evidence was insufficient to establish actionable negligence and they were not contributorily negligent. The trial court denied the woman and her husband's motions for: (1) removal of a compulsory nonsuit as to additional defendants; and (2) a new trial as to the property owner.

On appeal, our Supreme Court affirmed the judgment as to the additional defendants, reversed the judgment as to the property owner, and granted a new trial without the binding jury instructions. The court noted that, except where obviously trivial, what constitutes a defect sufficient to impose liability on the property owner must be examined in light of all of the circumstances and that is a question to be submitted to the jury. The court further noted that there is 'no definite or mathematical rule [that] can be laid down as to the depth or size of a sidewalk depression necessary to convict an owner of premises of negligence in permitting its continued existence.' *Breskin*, 381 Pa. at 464, 113 A.2d at 318. The court concluded that the defect in that case could not be held to be trivial as a matter of law and that it was a question for the jury to decide when considering all of the surrounding circumstances.

The Superior Court recognized the absence of a definitive standard in a situation similar to the present case in *Mull v. Ickes*, 994 A.2d 1137 (Pa.Super.2010). In *Mull*, a pedestrian was walking on a sidewalk toward an insurance agency's building when she stepped into a gap between concrete slabs that was two inches long and one and one-half inches deep. She and her husband filed suit against the insurance agency and the insurance agency's owner alleging that she sustained injuries as a result of her fall. The trial court found that the alleged defect was trivial and granted the agency and the agency owner's motion for summary judgment. On appeal, the Superior Court concluded that the surrounding circumstances of the case, including the gap's location in the direct line of travel to enter the building, the slope of the slab of concrete that contained the defect, and the agency owner's acknowledgment that he noticed the gap prior to the incident, presented genuine issues of material fact that did not warrant summary judgment. In reversing, the Superior Court 'emphasize[d] that there is no definite or mathematical rule that determines when a defect is trivial; instead, the case must be determined on the individual facts.' *Id.* at 1140.

Shaw v. Thomas Jefferson University, 80 A.3d 540, 542-44 (Pa. Commw. 2013) (alterations in original) (footnote omitted). While the cases relied upon by Rivera are fifty or more years old and focus on the size and measurements of the defects at issue,

[a]s is evident from our Supreme Court's decisions in *Massman* and *Breskin*, and from the more recent decisions issued by th[e Superior] Court in *Mull* and the Commonwealth Court in *Shaw*, whether a sidewalk defect is trivial is not simply a matter of the size or measurement of the defect when there are genuine issues of material fact based on the surrounding circumstances.

Reinoso v. Heritage Warminster SPE LLC, 108 A.3d 80, 89-90 (Pa. Super. 2015).

In line with the above legal principles, the Court notes that the parties' experts have provided differing measurements of the elevation of the brick at issue, with Plaintiff's expert comparing the height of the brick with the bottom of the gap between the Sidewalk and the brick and concluding that the vertical change was a hazardous and dangerous condition and City's expert comparing the height of the brick with the Sidewalk itself and concluding that the vertical change posed a minimal risk. This presents an issue of material fact with regard to the circumstances surrounding Plaintiff's fall and the alleged defect causing it. In addition, Plaintiff was unable to say, with certainty, which brick she tripped on, leaving it up to the jury to

decide whether to believe that Plaintiff tripped on the brick that she says she tripped on and whether her toe went into the bottom of the gap or merely hit the edge of the brick. For these reasons, the Court declines to find that the alleged defect on the Sidewalk was trivial as a matter of law.

Prima Facie Negligence Claims

In attacking Plaintiff's *prima facie* case, City repeats its argument regarding notice and further argues that Plaintiff, by not showing notice, has not produced evidence that City breached its duty of care to her. In attacking Plaintiff's *prima facie* negligence claim, Rivera argues that Plaintiff, as a licensee, cannot recover in negligence, because the alleged defect was open and obvious—despite his earlier argument that the defect was obviously trivial.

“To establish a cause of action sounding in negligence, a party must demonstrate they were owed a duty of care by the defendant, the defendant breached this duty, and this breach resulted in injury and actual loss.” *McCandless v. Edwards*, 908 A.2d 900, 903 (Pa. Super. 2006). Whether a defendant owes a duty of care is a question of law. *Brisbine v. Outside In School of Experiential Education, Inc.*, 799 A.2d 89, 95 (Pa. Super. 2002).

[T]he legal concept of duty of care is necessarily rooted in often amorphous public policy considerations, which may include our perception of history, morals, justice and society. ... The determination of whether a duty exists in a particular case involves the weighing of several discrete factors which include: (1) the relationship between the parties; (2) the social utility of the actor's conduct; (3) the nature of the risk imposed and foreseeability of the harm incurred; (4) the consequences of imposing a duty upon the actor; and (5) the overall public interest in the proposed solution.

Althaus v. Cohen, 562 Pa. 547, 553, 756 A.2d 1166, 1169 (2000) (citation omitted).

It is, of course, the duty of a municipality to maintain its sidewalks in a reasonably safe condition or, rather, when it has reasonable notice express or implied of a defective condition, to see that the property owner performs his duty to make the necessary repairs, the liability of the latter being primary and absolute, that of the municipality secondary and supplemental.

Koerth v. Borough of Turtle Creek, 355 Pa. 121, 124, 49 A.2d 398, 399-400 (1946). A municipality owes this duty to the public at large and typically satisfies this responsibility by ensuring that any dangerous conditions are remedied by the adjacent property owner. See *Reedy v. City of Pittsburgh*, 363 Pa. 365, 367, 69 A.2d 93, 94 (1949).

Regarding City's argument, the Court has already determined that there is sufficient evidence in the record, especially when viewed in the light most favorable to Plaintiff, to charge City with at least constructive notice of the alleged defect. City does not appear to contest that it owed Plaintiff a duty in this case but, instead, argues that its lack of notice requires a finding that it did not breach its duty of care. (*See* City's Br. 8-10.) Having already concluded that a jury could infer that City had notice of the alleged defect, City's argument is unavailing. Further, it is undisputed that City never contacted Rivera to request that he remedy the condition of the Sidewalk. Therefore, Plaintiff has produced sufficient evidence of a *prima facie* negligence claim against City.

Rivera, in his argument, correctly identifies Plaintiff as a licensee.

A 'licensee' is a person whose entry upon or use of the premises in question is by express or implied permission of the owner or occupier. A licensee enters upon the land of another solely for his own purposes; the invitation extended to him is given as a favor by express consent or by general or local custom, and is not for either the business or social purposes of the possessor.

Charlie v. Erie Insurance Exchange, 100 A.3d 244, 253 (Pa. Super. 2014). A landowner may be found liable to a licensee for injuries caused by a condition on his or her land if:

- (a) the possessor knows or has reason to know of the condition and should realize that it involves an unreasonable risk of harm to such licensees, and should expect that they will not discover or realize the danger, and
- (b) he [or she] fails to exercise reasonable care to make the condition safe, or to warn the licensees of the condition and the risk involved, and
- (c) the licensees do not know or have reason to know of the condition and the risk involved.

Long v. Manzo, 452 Pa. Super. 451, 457, 682 A.2d 370, 373 (1996) (citation omitted). "[W]hether the licensee knew or had reason to know of the condition and its attendant risks, is usually a question of fact for the jury. ... This question may be decided by the court, however, if reasonable minds could not differ." *Id.* (citation omitted).

Here, despite the fact that Plaintiff worked next door to the Property, traversed the Sidewalk with regularity, and was aware of its general deterioration, the Court finds that reasonable minds could differ as to whether that means that the specific condition allegedly causing Plaintiff to trip was open and obvious to her such that she knew or had reason to know about it and is thus precluded from recovering as a licensee. This conclusion is bolstered by the fact that Plaintiff was looking straight ahead, rather than down at the ground, at the moment she fell. Thus, this is not a situation

where a pedestrian walking on a sidewalk looks down, notices a dangerous condition, and attempts to walk over it anyway. Instead, the record reflects that Plaintiff was taken by surprise upon tripping over the brick and did not appear to have any forewarning of any specific impending danger. In addition, the allegedly defective nature of the brick is a matter of inches, something not readily perceivable to the naked eye of a pedestrian walking across a row of seemingly identical bricks. If the defect was small enough that the parties' experts were required to use the tools displayed in the photographs attached to their reports to discern it, then Plaintiff could not have been expected to see it from a standing position. Because the record contains evidence from which a reasonable jury could conclude all of the above, Rivera's argument that the allegedly dangerous condition was open and obvious is without merit, not to mention in direct contradiction to his argument that the condition was obviously trivial.

WHEREFORE, the Court enters the following:

ORDER

AND NOW, this 11th day of May, 2016, Defendant City of Bethlehem's "Motion for Summary Judgment Pursuant to the Pennsylvania Political Subdivision Tort Claims Act and Lack of Evidence Under Pennsylvania Negligence Law," filed on January 29, 2016, and "Defendant Luis D. Rivera's Motion for Summary Judgment," filed on the same date, are hereby DENIED.

Northampton County Bar Association

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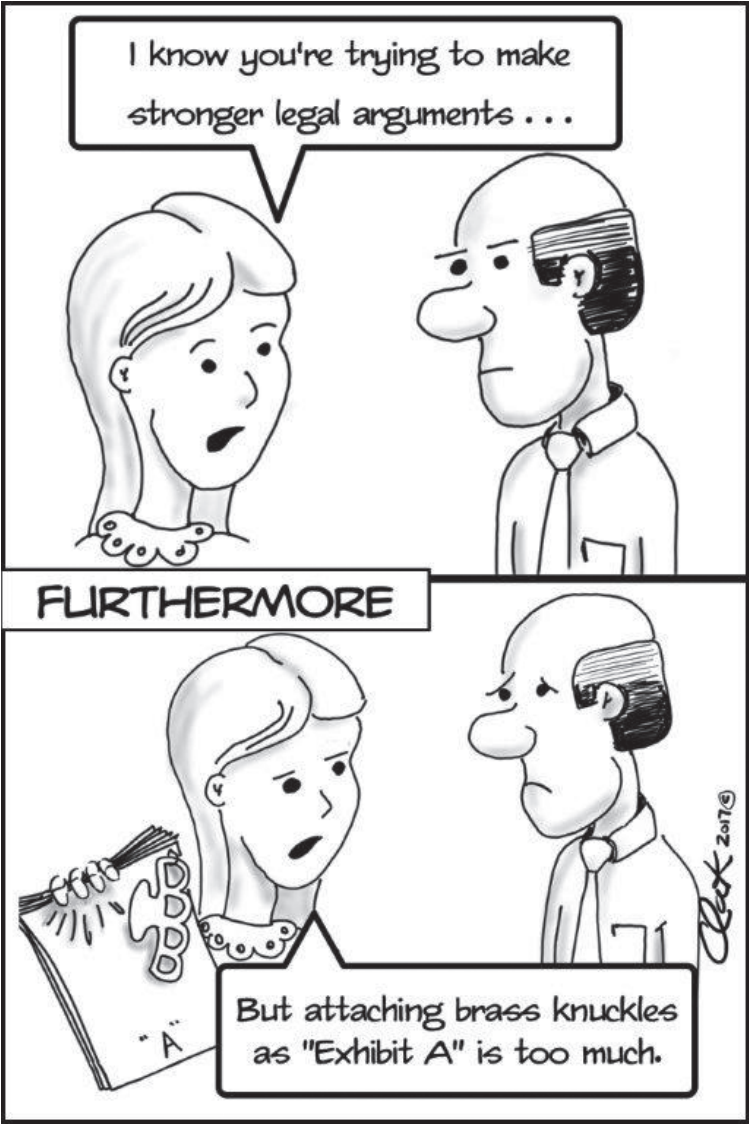
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