

Northampton County Reporter

(USPS 395-280)

VOL. LVII

EASTON, PA April 26, 2012

NO. 17

Commonwealth of Pennsylvania v. Jerome M. Hicks, Defendant

**Jeffrey R. Pierson, Plaintiff v. Wells Fargo Bank, N.A. and
Option One Mortgage Corporation, Defendants**

**Jeannene J. Smith, Appellant v. Commonwealth of Pennsylvania,
Department of Transportation, Appellee**

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INSERT: Pink: 1. Walk for a Healthy Community

2. 2012 Calendar

3. "LexisNexis Updates and Enhancements"

4. PBI/CLE Seminars—NCBA Office, May – August 2012

Cream: 1. "Physical Medicine and Rehabilitation in a Workers' Compensation Case"

2. Quarterly Association Meeting

3. Rochester Redwings vs. Lehigh Valley Iron Pigs

4. Golf Outing and Happy Hour

NOTICE TO THE BAR...

Quarterly Association Meeting & Malpractice Avoidance Seminar.

May 17, 2012. Registration form inside.

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Northampton County Reporter

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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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Edward P. Shaughnessy, Esquire

Editor

NOTICE TO NCBA MEMBERS – BAR NEWS

Lehigh Valley Iron Pigs Night

Tuesday, June 26, 2012

Join your NCBA friends and family in the four dugout suites at Coca Cola Park. Registration form inside.

Quarterly Association Meeting and Malpractice Avoidance Seminar

Thursday, May 17, 2012 @ Best Western, Bethlehem

Receive 5% discount on your PBA-sponsored malpractice insurance. Registration form inside.

Walk for a Healthy Community

Saturday, June 2, 2012

This is a great opportunity to take part in a fun event and to support the community at the same time. The Walk will take place at SteelStacks this year. You get to choose the charity you want to support from a group of 23 local charities. Registration information inside.

Consider joining us this year! Members, family, friends and dogs are all welcome!

Annual Summer Outing

Thursday, July 26, 2012 – Louise Moore Park

Planning has begun for our Summer Outing. Clear your calendar and attend the Outing for fun in the sun – golf, quoits, mini-golf, biking and softball.

The man who has no imagination has no wings. ~ Muhammad Ali

ESTATE NOTICES

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

FIRST PUBLICATION**BEIDLER, DeFORREST R.,** dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Sandra L. Beidler

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

BELLETTI, LILIANA, dec'd.

Late of the Borough of Pen Argyl, Northampton County, PA

Executors: Oriana M. Hood, 4380 Eisenhower, Bethlehem, PA 18020, John P. Belletti, 1016 Potomac Dr., Wilmington, NC 28411 and Steven Belletti, 735 William St., Pen Argyl, PA 18072
Attorney: Steven B. Molder, Esquire, 904 Lehigh Street, Easton, PA 18042

BROWN, RONALD W., dec'd.

Late of the Township of Bushkill, Northampton County, PA

Executor: Stephen T. Brown, 11 South Main Street, Nazareth, PA 18064

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

COLVER, ELWOOD E. a/k/a ELWOOD E. COLVER, JR., dec'd.

Late of Plainfield Township, Northampton County, PA

Executrix: Lorena L. Roberts, 506 Clyde Street, Nazareth, PA 18064-9259

Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064-2083

HOCH, BETTY E., dec'd.

Late of Hellertown, Northampton County, PA

Executor: Gary L. Hoch, 9437 Silver Meteor Court, Manassas Park, VA 20111

Attorney: Richard G. Scheib, Esquire, 11 Reitz Blvd., Suite 102, Lewisburg, PA 17837-9293

JONES, THEODORE A., dec'd.

Late of the City of Easton, Northampton County, PA

Administratrix C.T.A.: Patsy Woodson, 35 S. Sixth Street, Easton, PA 18042

Attorney: Louis S. Minotti, Jr., Esquire, 44 N. Second Street, P.O. Box 468, Easton, PA 18044

KECK, WAYNE R., dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executors: Richard T. Keck, Katherine L. Heller and National Penn Investors Trust Co. c/o Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064-2083

Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064-2083

MITCHELL, PAULINE M., dec'd.

Late of the Township of Hanover, Northampton County, PA

Executrix: Michele Mitchell a/k/a Michele K. Lenahan

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

NATOLI, JEAN, dec'd.

Late of Nazareth, Northampton County, PA

Administratrix C.T.A.: Linda G. Hahn c/o Timothy B. Fisher, II, Esquire, Fisher & Fisher Law Offices LLC, 525 Main Street, P.O. Box 396, Gouldsboro, PA 18424

Attorneys: Timothy B. Fisher, II, Esquire, Fisher & Fisher Law Offices LLC, 525 Main Street, P.O. Box 396, Gouldsboro, PA 18424

NICHOLAS, CONRAD L., dec'd.

Late of 429 S. Riverview Drive, Walnutport, Northampton County, PA

Administratrix: Edna A. Nicholas c/o Anne K. Manley, Esquire, 33 S. 7th Street, P.O. Box 4060, Allentown, PA 18105-4060

Attorney: Anne K. Manley, Esquire, 33 S. 7th Street, P.O. Box 4060, Allentown, PA 18105-4060

RITTER, EMMA Z., dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Suzanne Kroboth, 417 Birch Drive, Nazareth, PA 18064

Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064-2083

SMITH, CARRIE V., dec'd.

Late of the Borough of Wilson, Northampton County, PA

Co-Administrators: Robert T. Smith, Jr. and Michelle M. Phoenix 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

STEPHENS, CECILIA R., dec'd.

Late of Northampton, Northampton County, PA

Executor: Keith Stephens, 3778 Lehigh Drive, Northampton, PA 18067

Attorney: Charles E. Shoemaker, Jr., Esquire, 727-729 North 19th Street, Allentown, PA 18104-4040

VOROS, STEVEN, dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Cecile Paules, 662 E. Macada Road, Bethlehem, PA 18017

Attorney: Richard D. Gorski, Esquire, 2029 West Union St., Allentown, PA 18104

SECOND PUBLICATION**BRANDT, RUSSELL W.**, dec'd.

Late of the Township of Plainfield, Northampton County, PA

Administrator: Ryan R. Brandt c/o Karl H. Kline, Esquire, Karl Kline P.C., 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

Attorneys: Karl H. Kline, Esquire, Karl Kline P.C., 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

EBERHARDT, HILDA J., dec'd.

Late of Lower Saucon, Northampton County, PA

Executrix: Janice M. Eberhardt-Thew c/o John O. Stover, Jr., Esquire, 537 Chestnut Street, Emmaus, PA 18049

Attorney: John O. Stover, Jr., Esquire, 537 Chestnut Street, Emmaus, PA 18049

HORVATH, LILLIAN DOROTHY a/k/a LILLIAN D. HORVATH, dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Elvira Fenner c/o Thomas J. Maloney, Esquire, Maloney, Danyi, O'Donnell & Tranter, 901 West Lehigh Street, P.O. Box 1279, Bethlehem, PA 18016-1279

Attorneys: Thomas J. Maloney, Esquire, Maloney, Danyi, O'Donnell & Tranter, 901 West Lehigh Street, P.O. Box 1279, Bethlehem, PA 18016-1279

SHOOK, JAY M., dec'd.

Late of the Township of Plainfield, Northampton County, PA

Co-Executors: Irene A. Gutshall and James R. Shook c/o P. Christopher Cotturo, Esquire, Attorney-at-Law, 75 Bangor Junction Road, Bangor, PA 18013

Attorney: P. Christopher Cotturo, Esquire, Attorney-at-Law, 75 Bangor Junction Road, Bangor, PA 18013

SMICKLE, JULIA ELLEN a/k/a JULIA-ELLEN SMICKLE a/k/a JULIA E. SMICKLE a/k/a JULIA ELLEN SWARTWOOD, dec'd.

Late of the Borough of Wilson, Northampton County, PA

Executor: Mr. Ned R. Barlieb, 42 N. Broad Street, Nazareth, PA 18064

Attorneys: Robert A. Nitchkey, Jr., Esquire, Hemstreet, Nitchkey & Freidl, 730 Washington Street, Easton, PA 18042

STEFANCIN, SOPHIE A., dec'd.

Late of the Township of Bushkill, Northampton County, PA

Executors: Michael A. Malia and Veronica J. Malia 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

STEVKO, ANASTASIA P., dec'd.

Late of 4882 Lehigh Drive, Walnutport, Northampton County, PA

Executrix: Sandra Paul a/k/a Sandra M. Niebell, 712 S. Dogwood Road, Walnutport, PA 18088

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

TEMPINSKI, JOSEPH P., dec'd.

Late of the Township of Bethlehem, Northampton County, PA
Executor: Kurt Tempinski c/o Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

Attorney: Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

THIRD PUBLICATION**BLASK, MARIA,** dec'd.

Late of the Township of Plainfield, Northampton County, PA
Executrix: Inge Jordan a/k/a Ingeborg Jordan, 30 Miller Park Road, Milford, NJ 08848

Attorneys: Charles Bruno, Esquire, Pfeiffer, Bruno, Minotti & DeEsch, P.C., P.O. Box 468, Easton, PA 18044-0468

CURTIS, WILLIAM M., dec'd.

Late of the Township of Palmer, Northampton County, PA

Executor: Dean Arlton Curtis, 8 Canterbury Lane, Easton, PA 18045

Attorney: Keene Jabbour, Esquire, 701 Washington Street, Easton, PA 18042

JOHNSTON, CURTIS G., JR., dec'd.

Late of No. 1807 Mark Twain Circle, Township of Hanover, Northampton County, PA

Executor: Richard A. Johnston, 327 South Whiteoak Street, Kutztown, PA 19530

Attorney: Jonathan B. Batdorf, Esquire, 317 East Lancaster Avenue, Shillington, PA 19607

LAUBACH, MINERVA M., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Co-Executors: Charles Laubach a/k/a Charles H. Laubach, Sr., 4 Winfield Court, Easton, PA 18045 and Gary L. Laubach, 3901 Camden Street, Easton, PA 18045

Attorneys: James L. Pfeiffer, Esquire, Pfeiffer, Bruno, Minotti & DeEsch, P.C., P.O. Box 468, Easton, PA 18044-0468

LITTLE, JAMES K. a/k/a BUTCH LITTLE, dec'd.

Late of Easton, Northampton County, PA

Administratrix: Louise A. Natishyn c/o Angela F. Stevens, Esquire, Pyrah/Stevens, LLC, 575 Pierce Street, Suite 303, Kingston, PA 18704

Attorneys: Angela F. Stevens, Esquire, Pyrah/Stevens, LLC, 575 Pierce Street, Suite 303, Kingston, PA 18704

MERLO, NINA a/k/a NINA K. MERLO, dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executor: Stephen Polczer c/o Alfred S. Pierce, Esquire, Pierce & Dally, LLC, 124 Belvidere Street, Nazareth, PA 18064

Attorneys: Alfred S. Pierce, Esquire, Pierce & Dally, LLC, 124 Belvidere Street, Nazareth, PA 18064

PAUKOVITZ, JOSEPH J.S., dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Josephine M. Paukovitz, 17 S. Spruce Street, Nazareth, PA 18064

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

PETERS, DOROTHY L., dec'd.

Late of 326F Oak Street, Walnutport, Northampton County, PA
Co-Administrators: Leslie Dixon, 4380 Little Gap Road, Kunkletown, PA 18058 and Laurette Kovary, 45 Richard Road, East Norwich, NY 11732

Attorneys: Norman E. Blatt, Jr., Esquire, Scherline & Associates, 512 Walnut Street, Allentown, PA 18101

RODRIGUEZ, HECTOR L., dec'd.

Late of Bethlehem Township, Northampton County, PA

Executrix: Angie Joan Rodriguez, 537 Wyandott St., Bethlehem, PA 18015

Attorneys: Ian Womack, Esquire, Womack & Maroulis, LLC, 1264 Penn Ave., Wyomissing, PA 19610

SCHWEIKERT, WILLIAM JOHN, dec'd.

Late of the Township of Palmer, Northampton County, PA

Administrator: Gary Bankston c/o Lawrence Center, Esquire,

60 W. Broad St., Ste. 103, P.O. Box 1248, Bethlehem, PA 18016
Attorney: Lawrence Center, Esquire, 60 W. Broad St., Ste. 103, P.O. Box 1248, Bethlehem, PA 18016

SIEGFELT, JOYCE E., dec'd.

Late of the City of Bethlehem, Northampton County, PA
Administrator C.T.A.: Paul A. Florenz c/o Kolb, Vasiliadis and Florenz, 74 West Broad Street, Ste. 170, Bethlehem, PA 18018-5738

Attorneys: Kolb, Vasiliadis and Florenz, 74 West Broad Street, Ste. 170, Bethlehem, PA 18018-5738

STAUFFER, ANNA E., dec'd.

Late of the Township of Bushkill, Northampton County, PA
Executrices: Joanne S. Kniolek and Sandra L. Romanishan 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

STETCH, JOHN, dec'd.

Late of the Township of Upper Nazareth, Northampton County, PA
Executors: Barry Wayne Kocher and Cheryl Ann Kocher, 3080 Clayton Street, Easton, PA 18045

Attorney: Keene Jabbour, Esquire, 701 Washington Street, Easton, PA 18042

WARMINSKY, COLE, dec'd.

Late of the Township of Hanover, Northampton County, PA

Administratrix: Jillian Warminsky, 79 W. 2nd Mountain Road, Pottsville, PA 17901

Attorneys: Boyer, Holzinger, Harak & Scomillio, 1216 Linden Street, P.O. Box 1409, Bethlehem, PA 18016

TRUST AND ESTATE NOTICE

LEROY J. RIDER LIVING TRUST AND ESTATE OF LEROY J. RIDER, late of the Township of Palmer, County of Northampton and Commonwealth of Pennsylvania, DECEASED.

WHEREAS, Letters Testamentary in the above-named estate have been granted to Susanne M. Llewelyn a/k/a Susanne R. Llewelyn and Cindy L. Opitz, Executrices named below. All persons indebted to the said estate are requested to make immediate payment, and those having claims or demands to present the same without delay to Susanne M. Llewelyn a/k/a Susanne R. Llewelyn and Cindy L. Opitz, Executrices and Trustees c/o Theresa Hogan, Attorney-at-Law, 340 Spring Garden Street, Easton, PA 18042.

Apr. 12, 19, 26

NOTICES OF INCORPORATION

NOTICE IS HEREBY GIVEN that:
C & W DISCOUNT STORE INC.

is incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, effective October 1, 1989, as amended.

Apr. 26

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 purpose of obtaining a Certificate of Incorporation pursuant to the provi-

sions of the Business Corporation Law of the Commonwealth of Pennsylvania, Act of December 21, 1988 (P.L. 1444, No. 177), as amended.

The name of the corporation is:

**GFP INVESTMENT
SERVICES, INC.**

The Articles of Incorporation were filed on March 15, 2012.

JAMES L. BROUGHAL, ESQUIRE
BROUGHAL & DeVITO, L.L.P.
38 West Market Street
Bethlehem, PA 18018

Apr. 26

NOTICE IS HEREBY GIVEN that the Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania in Harrisburg, PA on March 30, 2012, for the purpose of obtaining Articles of Incorporation pursuant to the provisions of the Pennsylvania Business Corporation Law of 1988 for:

LOCAL FOOD MART INC

Apr. 26

NOTICE IS HEREBY GIVEN that the Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania in Harrisburg, PA on March 30, 2012, for the purpose of obtaining Articles of Incorporation pursuant to the provisions of the Pennsylvania Business Corporation Law of 1988 for:

PENN JERSEY CAR SALES INC

Apr. 26

**FICTITIOUS NAME
REGISTRATION NOTICES**

NOTICE IS HEREBY GIVEN pursuant to the provisions of Act 295 of 1982 of intention to file or the filing of, in the Office of the Secretary of the Commonwealth of PA at Harrisburg, PA a certificate for the conduct of a business in PA under the assumed

or fictitious name, style or designation of:

FMF SALES & CONSULTING

with an address of: 2430 Butler Street, Suite 131, Easton, PA 18042.

The name of the person owning or interested in said business is: N.A. Lee. This certificate was filed on February 15, 2012.

Apr. 26

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act 295 of 1982 (54 Pa. C.S.A. Sec. 311, et seq.) that a Certificate was filed in the Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on April 6, 2012, for the conducting of business under the assumed or fictitious name, style, or designation of:

JONICAKES

with its principal place of business at: 225 South Third Street, Bangor, Northampton County, Pennsylvania 18013.

The name and address of the person owning or interested in said business is: Joni Confalone, 225 South Third Street, Bangor, Pennsylvania 18013.

DAVID J. CERAUL, ESQUIRE
22 Market Street
Bangor, PA 18013

Apr. 26

**LIMITED LIABILITY COMPANY
NOTICES**

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 April 4, 2012, 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:

IRON CORE ATHLETE, L.L.C.

David J. Ceraul, Esquire
22 Market Street
Bangor, PA 18013

Apr. 26

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 April 11, 2012, 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:

**RASPBERRY RIDGE
PROPERTIES, L.L.C.**

David J. Ceraul, Esquire
22 Market Street
Bangor, PA 18013

Apr. 26

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 April 11, 2012, 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:

**RASPBERRY RIDGE
SHEEP FARM, L.L.C.**

David J. Ceraul, Esquire
22 Market Street
Bangor, PA 18013

Apr. 26

**SHERIFF'S SALE OF
VALUABLE REAL ESTATE**

The following real estate will be sold by the Sheriff of Northampton

County, Pennsylvania, on MAY 11, 2012 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 delinquent taxes certified to the Sheriff's Office. Any current taxes are the responsibility of the purchaser.

No. 1

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2008-01474**

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, situate in the City of Bethlehem, County of Northampton and State of Pennsylvania, and being known as Lot No.8, Block "B" Section "B" Liberty Park, bounded and described according to a survey thereof made by Alfred N. Rocerbaum, registered surveyor of Easton, Pennsylvania, dated November 20, 1958, as follows, to wit:

BEGINNING at a point of tangent on the Southerly side of Lansdale Avenue (50 feet wide) at the distance of 15 feet measured North 88 degrees East from in intersection with the Easterly side of East Boulevard (80 feet wide) (both lines produced); thence extending North 88 degrees East along said side of Lansdale Avenue 68 feet to a point; thence extending South 2 degrees East along line of Lot No.8, Block "B" as said plan 60 feet to a point; thence extending South 88 degrees West along line of Lot No. 10, Block "B" on said plan 103 feet to a point in the said Easterly side of East Boulevard; thence extending North 2 degrees West, along said side of East Boulevard 45 feet to a point of curve in the same; thence extending along the arc of a circle curving to

the right having a radius of 18 feet arc distance of 28.58 feet is the first mentioned point or place of Beginning.

BEING the same premises which Holly V. Catantoni, Legal Guardian of Frank B.. Molehan by Deed dated August 14, 2003, and recorded August 18, 2005, in Book 2003-1, Page 337992, granted and conveyed unto Lenore F Csanscits and Diane L. Csanscits, husband and wife, in fee.

BEING KNOWN AS 2542 East Boulevard, Bethlehem, PA.

TAX PARCEL NUMBER: N7NW1C-1-14.

THEREON BEING ERECTED a single ranch style dwelling with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Leonard F. Csencsits and Diane L. Csencsits.

MICHAEL T. McKEEVER, ESQUIRE

No. 2

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-01450**

ALL THAT CERTAIN lot or parcel of land, with the buildings and improvements thereon erected, situated in the Borough of Hellertown, County of Northampton, and State of Pennsylvania, being designated as Lot #36, Block 7 as laid out on the map entitled Rentzheimer Farm Development, Section C, Mountainview, property of Bethlehem Steel Company, dated November 6, 1947, revised April 13, 1948, and filed in Map Book Volume 12, Page 9, Northampton County Records, being designated as 314 Willow Road.

BEING the same premises by deed from Robert M. Burke dated 02/22/02 and recorded 02/22/02 in Book 2002-1 Page 49562 granted and conveyed unto Robert M. Burke and Tammy F. Burke, husband and wife.

BEING KNOWN AS 314 Willow Road, Hellertown, PA 18055.

TAX PARCEL NUMBER: Q7SE4A-11-3A.

THEREON BEING ERECTED a single ranch style dwelling with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Tammy F. Burke and Robert M. Burke.

MICHAEL T. McKEEVER, ESQUIRE

No. 3

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-08994**

All that certain message, tenement and lot or tract of ground located the eastern side of Mountain View Drive, now numbered 8054 Mountain View Drive (previously numbered 115 Mountain View Drive), being known as Lot #15, as shown on plat of Country Squire Estates, East Allen Township, Northampton County, Pennsylvania, said plan begin recorded in the Office for the Recording of Deeds in and for Northampton County, in Easton, Pennsylvania, in Plan Book Volume 23, page 12, being bounded and described as follows, to wit:

Beginning at a point in the eastern line of Mountain View Drive, said point being the common corner with Lot No. 14 of the above-mentioned plan; thence along the eastern line of Mountain View Drive by a curve to the left with a radius of one hundred seventy-five (175.00') feet for a distance of sixty (60.00') feet; thence along the southern line of Lot No. 16 of the above-mentioned plan, South eighty (80) degrees fifty-five (55) minutes forty (40) seconds East, one hundred fifty-two and sixty-one one-hundredths (152.61') feet to a point in the western line of Lot No. 4 of the

above-mentioned plan; thence along the same South seven (7) degrees forty-five (45) minutes East, twenty-seven and seventy-one one-hundredths (27.71) feet to a point; thence along the western line of Lot No. 5, South twenty (20) degrees forty-one (41) minutes fifteen (15) seconds West, thirty-nine and eighty-three one-hundredths (39.83') feet to a point; thence along the northwestern line of Lot No. 6, South forty-nine (49) degrees zero (00) minutes West fifty-one and sixty-two one-hundredths (51.62') feet to a point; thence along the northern line of Lot No. 14, North sixty-one (61) degrees seventeen (17) minutes zero (00) seconds West, one hundred forty-seven and ninety-two one-hundredths (147.92') feet to the place of beginning.

Title to said premises is vested in Melquisedec & Brenda Vasquez by deed from Blair J. Gerber dated 09/27/2006 and recorded 10/05/2006 in Book 2006-1, Page 413346.

BEING KNOWN AS 8054 Mountain View Drive, Northampton, PA 18067-8938.

TAX PARCEL NUMBER: K5-10-3H.

THEREON BEING ERECTED a single ranch style dwelling with attached one-car garage with vinyl siding and brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Melquisedec Vasquez and Brenda Vasquez.

CHANDRA M. ARKEMA, ESQUIRE

No. 4

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION**

CV-2011-07710

ALL THAT CERTAIN message, tenement and tract or piece of land

situate in the Borough of Pen Argyl, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin at the edge of the concrete sidewalk on the North side of George Street, the said iron pin being on the centerline (extended) of a double frame dwelling house Nos. 805-807 projected; thence along the North side of said concrete sidewalk North 73 degrees East 20 feet to a point and land of Alvin Itterly; thence along the same North 17 degrees West 100 feet to a point on the concrete foundation wall on the East side of a small frame building on the South side of a 16 feet wide alley; thence along the South side of said alley and along a frame garage buildings South 73 degrees West 20 feet to a point; thence Southwardly through said garage building and through the centerline of the partition wall of said double frame dwelling Southwardly 100 feet to the place of Beginning.

Title to said premises is vested in Jennifer-Joan P. Clark and Timothy H. Clark, husband and wife, by deed from MICHLYN CAPPOLA dated December 2, 2004 and recorded December 14, 2004 in Deed Book 2004-1, Page 481966.

BEING KNOWN AS 805 George Street, Pen Argyl, PA 18072.

TAX PARCEL NUMBER: E8NE4B 1 2.

THEREON BEING ERECTED a two-story half-of-double style dwelling with vinyl siding exterior and slate roof; detached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Jennifer-Joan P. Clark and Timothy H. Clark.

MARGARET GAIRO, ESQUIRE

No. 5
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-10364

ALL THAT CERTAIN message, tenement and lot or piece of ground situate on the west side of Pierce Street (formerly Linden Street in the Fourth Ward of the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, being designated as 428 Pierce Street according to present city numbering, bounded and described as follows, to wit:

BEGINNING at a point in the west line of Pierce Street, in line with the middle of party or partition wall of a double brick dwelling house situate on the southwest corner of Pierce and Morton (formerly Church) Streets;

thence southwardly along Pierce Street a distance of nineteen feet four and one-half inches (19' 4 1/2") to a point;

thence of the same width extending westwardly between parallel lines at right angles with Pierce Street, a distance of eighty (80) feet.

Title to said premises is vested in Robert A. Pomante and Lori L. Roediger by deed from William Edward Wagner, III dated 10/20/2006 and recorded 10/23/2006, in Book 2006-1, Page 438263.

BEING KNOWN AS 428 Pierce Street, Bethlehem, PA 18015-1867.

TAX PARCEL NUMBER: P 6 SE 1B-30-10.

THEREON BEING ERECTED a two-story half-of-double style dwelling with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Robert A. Pomante and Lori L. Roediger.

CHANDRA M. ARKEMA, ESQUIRE

No. 6
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-04402

ALL THAT CERTAIN lot of land situate in the Township of Palmer, County of Northampton, and Commonwealth of Pennsylvania, and being designated as Lot No. 83 as shown on a plan of lots entitled "Final Plan Hillcrest, Phase 2-Section 5-Palmer township, Northampton County, Pennsylvania" prepared by Environmental Design and Engineering, dated April 5, 2002, as revised, and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania, on October 3, 2002 in Record Book Volume 2002-5, Pages 263 to 264, ;and being more fully bounded and described as follows, to wit:

BEGINNING AT A POINT ON THE EASTERLY RIGHT OF WAY LINE OF Morningside Drive (50 feet wide) at a corner of Lot No. 74 (Open Space) of Hillcrest, Phase 2Section 5; thence along said easterly right of way line of Morningside Drive (50 feet wide) along the are of a curve deflecting to the left having a radius of 215.00 feet and central angle of 28 degrees- 49'00" for an are length of 108.13 feet (chord: North 21 degrees - 50'-30" East 107.00 feet) to a point at a corner of Lot No. 82 of Hillcrest, Phase 2-Section 5; South 82 degrees-34'-00" East 150.00 feet to a point on a line of lands of Lot No. 74 (Open Space) of Hillcrest, Phase 2-Section 5, thence along said lands of Lot No. 74 (Open Space) of Hillcrest, Phase 2-Section 5 the following two courses and distances:

1) South 21 degrees 50'30" West 181.65 feet to a point thence

2) North 53 degrees 45'00" West 150.00 feet to a point, the place of the Beginning

CONTAINING 20,483.46 square feet or 0.4702 acre.

Title to said premises is vested in Lorenzito Y. Quiambao and Victoria P. Quiambao, husband and wife, by deed from Frank Oieni and Grace M. Oieni, his wife, dated March 19, 2004 and recorded March 24, 2004 in Deed Book 2004-1, Page 108712, Instrument #2004020339.

BEING KNOWN AS 45 Morning-side Drive, Easton, PA 18045.

TAX PARCEL NUMBER: L8-6-19-83.

THEREON BEING ERECTED a two-story single dwelling with attached two-car garage with stone and stucco exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Lorenzito Y. Quiambao and Victoria P. Quiambao.

MARGARET GAIRO, ESQUIRE

No. 7

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-00210**

ALL THAT CERTAIN message, tenement and lot or piece of land, known as 518 Pawnee Street, according to present City numbering, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, near the intersection of Cherokee and Pawnee Street with Seminole Street, being part of Block "H" as marked upon a certain plan of land late Charles Hacker, laid out by him and recorded at Easton in the office for the Recording of Deeds, etc., in and for said County of Northampton in Deed Book H, volume 10, Page 602, bounded and described as follows, tow it:

BEGINNING at a point Sixty-seven and three-tenths 67.3) feet Northwardly from the Northwest corner of Pawnee and Seminole Streets; thence

extending Northwardly along the West side of Pawnee Street twenty-two and seven-tenths (22.7) feet, more or less; thence extending Westwardly of that same width parallel lines at right angles to Pawnee Street One Hundred (100) feet to other lands now or late of Solomon L. Stephens. The Southern line of said lot passing through the middle of a brick partition wall separating dwellings # 518-520 Pawnee Street

Title to said premises is vested in Laurence D. Parry and Sheryll R. Parry, husband and wife, by deed from RICHARD J. HUYTER AND SHERI R. HUYTER, HUSBAND AND WIFE dated November 10, 2004 and recorded November 18, 2004 in Deed Book 2004-1, Page 449755.

BEING KNOWN AS 518 Pawnee Street, Bethlehem, PA 18015.

TAX PARCEL NUMBER: P6SW2C-2-8.

THEREON BEING ERECTED a two-story half-of-double style dwelling with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Laurence D. Parry and Sheryll R. Parry.

MARGARET GAIRO, ESQUIRE

No. 8

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-05073**

ALL THAT CERTAIN lot or parcel of land situate in the Borough of West Easton, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING AT A POINT ON THE North side of Tenth Street (50 feet wide), said point being an iron pin set North 46 degrees 13 minutes East 176.59 feet from the Northeast corner of Tenth Street (50 feet Wide) and

Center Street (40 feet wide); thence along the line between 323 Tenth Street and 325 Tenth Street North 43 degrees 47 minutes West 130.00 feet to a railroad spike set; thence along the South side pin; thence along the southside of a 15 foot wide alley North 46 degrees 13 minutes East 35.00 feet to an iron pin; thence along line of land now or late of P. & S. Rossi south 43 degrees 47 minutes East 130.00 feet to an iron pin; thence along the North side of Tenth Street South 46 degrees 13 minutes 00 seconds West 35.00 feet to the place of Beginning.

CONTAINING 4,550.00 Square feet of land

Title to said premises is vested in Miguel Builes and Louis F. Builes by deed from MIGUEL BUELS dated January 26, 2004 and recorded March 4, 2004 in Deed Book 2004-1, Page 82814.

BEING KNOWN AS Lot 6 a/k/a 323 10th Street, Easton, PA 18042.

TAX PARCEL NUMBER: L9SW3D-4-19A-5.

THEREON BEING ERECTED a two-story single dwelling with attached one-car garage with vinyl sided exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Miguel Builes and Louis F. Builes.

MARGARET GAIRO, ESQUIRE

**No. 9
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-08519**

All that certain piece, parcel or tract of land with the buildings and improvements thereon, situate in the Township of Palmer, County of Northampton and Commonwealth of Pennsylvania shown as Lot 19 on the Final Plan of Wolf's Run Phase VI-C as recorded in Map Book 1995-01,

page 1612, in the Office of the Recorder of Deeds of Northampton County at Easton, Pennsylvania, and being further bounded and described as follows, to wit:

Beginning at a point on the South-erly right of way of Brendan Road (50.00 feet wide) at the Northeast corner of Lot 18 of Wolf's Run Phase VI-C; thence along said southerly right of way line of Brendan Road (50.00 feet wide) South 88° 29' 12" East 85.00 feet to a point; thence along the arc of a curve deflecting to the right having a radius of 15.00 feet and central angle of 90° 00' 00" for an arc length of 23.56 feet (chord: South 43° 29' 12" East 21.21 feet) to a point on the westerly right of way line of Scoty Drive (50.00 feet wide) thence along said westerly right of way line of Scoty Drive (50.00 feet wide) South 01° 30' 48" west 85.00 feet to a point at a corner of Lot 20 of Wolf's Run Phase VI-C; thence along said lands of Lot 20 of wolf's Run Phase VI-C North 88° 29' 12" West 100.00 feet to a point at a corner of Lot 18 of Wolf's Run Phase VI-C; thence along said lands of Lot 18 of Wolf's Run Phase VI-C North 01° 30' 48" East 100.00 feet to a point, the place of beginning.

Containing 9951.71 square feet or 0.23 acre.

Being the same premises which of Helen M. Krum and Dawn L. Devries by their deed dated 3/10/10 and recorded on 4/01 in Book 2010-1, page 63252, Instrument# 2010009481 in the reocrder of Deeds Office of Northampton County, Pennsylvania granted and conveyed unto John T. Voloshin and Monica B. Voloshin.

BEING KNOWN AS 200 Brendan Road, Easton, PA 18045.

TAX PARCEL NUMBER: K8SE2-16-3.

THEREON BEING ERECTED a two-story single dwelling with at-

tached two-car garage with vinyl siding and brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of John T. Voloshin and Monica B. Voloshin.

LOUIS P. VITTI, ESQUIRE

No. 10
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-13319

ALL THAT CERTAIN piece, parcel or tract of land situate in the Township of Lower Saucon, County of Northampton and Commonwealth of Pennsylvania shown as Lot 15 on the final plan of Meadow Ridge Estates recorded in Map Book 91, Page 103 in the Office of the Recorder of Deeds for Northampton County at Easton, Pennsylvania being further bounded and described as follows, to wit:

BEGINNING at an iron pin on the southerly right-of-way line of Deer Run Road (50.00 feet wide); said iron pin being on a corner of Lot 16 of Meadow Ridge Estates;

thence along said southerly right-of-way line of Deer Run Road (50.00 feet wide) along the arc of a curve to the left having a radius of 200.00 feet and central angle of 45°-50'-11" for an arc length of 160.00 feet (chord: North 28° 47' 00") East 155.77 feet to an iron pin on a corner of Lot 14 of Meadow Ridge Estates;

hence along said lands of Lot 14 of Meadow Ridge Estates South 84°-08'-05" East 287.11 feet to an iron pin on line of lands now or formerly of Lower Saucon School District/Hellertown School District;

thence along said lands now or formerly of Lower Saucon School District/Hellertown School District South 03°-16'-27" West 445.46 feet to a concrete monument on a corner of lands now or formerly of Anna M. and David R. Jennings;

thence along said lands now or formerly of Anna M. and David R. Jennings North 86°-02'-14" West 72.75 feet to an iron pin on a corner of Lot 16 of Meadow Ridge Estates;

thence along said lands of Lot 16 of Meadow Ridge Estates North 38°-17'-53" West 423.71 feet to an iron pin, the place of Beginning.

CONTAINING 109,172.94 square feet.

UNDER AND SUBJECT, however, to the following:

1. Declaration of Covenants and Restrictions dated May 23, 1991 and recorded May 23, 1991 in the Office as aforesaid in Miscellaneous Book Volume 396, Page 599.

2. "Drainage Covenants Agreement" as set forth on final subdivision plan of Meadow Ridge Estates, recorded in the Northampton County Recorder of Deeds Office in Map Book 91, Page 103.

3. Any and all additional covenants, restrictions, set-back lines, drainage easements, and utility easements as set forth on subdivision plan of Meadow Ridge Estates recorded as aforesaid.

BEING THE SAME PREMISES which Ashley Development Corporation, a Pennsylvania corporation, by its Deed dated September 5, 1991 and recorded September 26, 1991 in the Office for the Recorder of Deeds in and for Northampton County, Pennsylvania, in Deed Book Volume 843, Page 8, granted and conveyed unto Marc R. Solda and Patricia Solda, his wife.

BEING THE SAME PREMISES which Ashley Development Corporation, a Pennsylvania corporation, by its Deed dated September 5, 1991 and recorded September 26, 1991 in the Office for the Recorder of Deeds in and for Northampton County,

Pennsylvania, in Deed Book Volume 843, Page 8, granted and conveyed unto Marc R. Solda and Patricia Solda, his wife.

BEING KNOWN AS 1750 Deer Run Road, Bethlehem, PA.

TAX PARCEL NUMBER: R7 2 45.

THEREON BEING ERECTED a two-story single dwelling with attached three-car garage with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Marc R. Solda and Patricia Solda.

STEVEN J. ADAMS, ESQUIRE

No. 11
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-09660

All those certain parcels of land situate on the North side of Lehigh Street in the Borough of Wilson, County of Northampton, Commonwealth of Pennsylvania, being Known and designated as follows:

Tract 1:

Beginning at a point 60 feet West of the Northwest corner of 18th and Lehigh Streets, in the Borough of Wilson (formerly Palmer Township), thence extending West along the North side of Lehigh Street 20 feet and extending Northwardly of that same width in depth 100 feet through the middle of the partition wall between No. 1905 and 1807 Lehigh Street to other property of the grantor herein. Bounded on the North by other property of the grantor hereof, on the East by No. 1805 Lehigh Street of property now or late of Jennie A. Young, et al, on the South by Lehigh Street and on the West by No. 364 on a certain map of Fairview Park Association.

Tract 2:

Beginning at a point on the South side of Linden Street 60 feet West of

18th Street, thence extending West along the South side of Said Linden Street 20 feet to a point and extending Southwardly of the same width in depth for a distance of 30 feet to other property now or late of Mary L. Farley.

Bounded on the North by said Linden Street, on the East by Lot No. 366, on a certain Map of the Fairview Park Association, on the South by other property now or late of Mary L. Farley, known as No. 1807 Lehigh Street, and on the West by Lot No. 364 on said Plan of Lots.

Title to said premises is vested in Thomas W. Schriener and Kelly Schriener by deed from THOMAS W. SCHRINER dated August 25, 2005 and recorded October 13, 2005 in Deed Book 2005-1, Page 401580.

BEING KNOWN AS 1807 Lehigh Street, Easton, PA 18042.

TAX PARCEL NUMBER: L9SW2D-21-3.

THEREON BEING ERECTED a three-story half-of-double style dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Thomas W. Schriener and Kelly Schriener.

MARGARET GAIRO, ESQUIRE

No. 12
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2007-10972

ALL THAT CERTAIN tract of land, situate in the Township of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, being Lot #51, as shown on a Development Plan, Drawing No. D-1, prepared by Huth Engineers, Inc., Allentown, Pennsylvania, for Simon's Commons Associates, dated April 15, 1988, and last revised November 7, 1988, bounded and described as follows, to wit;

BEGINNING at a point, said point being located at the intersection of the easterly right of way of Pembroke Place with the common line between Lot #50 and Lot #51; Thence along the Pembroke Place right of way the following four (4) courses and distances: 1) on a curve to the left, having a radius of 50.00 feet, on a chord bearing of North 43 degrees 20 feet 51 inches West, and a chord length of 15.43 feet, an arc length of 15.50 feet to a point of reverse curvature; 2) on a curve to the right, having a radius of 20.00 feet, on a chord bearing North 27 degrees 13 feet 52 inches West, and a chord length of 16.90 feet, an arc length of 17.45 feet to a point of tangency; 3) North 02 degrees 14 feet 01 inches West, a distance of 48.77 feet to a point of curvature; 4) on a curve to the right, having a radius of 20.00 feet, on a chord bearing of north 42 degrees 45 feet 59 inches East, and a chord length of 28.28 feet, an arc length of 31.41 feet to a point at the end of return of the easterly Pembroke Place right of way at its intersection with the southerly Klien Street right of way; thence along said Klien Street right of way North 87 degrees 45 feet 59 inches East, a distance of 104.23 feet to a point, a corner of lands of N/L Ronald and Berry Clause c/o H. Newman, Esq.; thence along said lands south 01 degrees 24 feet 54 inches East a distance of 82.40 feet to a point, a corner of Lot #50; Thence along line of Lot #50 the following two (2) courses and distance; 1) South 87 degrees 45 feet 59 inches West, a distance of 84.61 feet to a point; 2) South 55 degrees 32 feet 00 inches West, a distance of 25.00 feet to a point, said point being the Place of Beginning.

Reserving therefrom a utility easements at a width of twenty (20) feet

running parallel and along the rear property line of the therein described tract.

BEING KNOWN AS 4050 Klien Street, Bethlehem, PA 18020.

TAX PARCEL NUMBER: N7NE2 5 9.

THEREON BEING ERECTED a two-story single dwelling with attached two-car garage with vinyl siding and brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Patricia Seeger and Frederick S. Seeger.

MICHAEL T. MCKEEVER, ESQUIRE

No. 13

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-04971**

ALL THAT CERTAIN unit in the property known, named and identified as Country Classics at Morgan Hill, a condominium located in the Township of Williams, County of Northampton and Commonwealth of Pennsylvania, which has heretofore been submitted to the provisions of the Uniform Condominium Act 68, PA C.S. 3101, et seq, by recording in the Office of the Recorder of Deeds in the County of Northampton, Pennsylvania of a certain declaration of condominium recorded July 25, 2003, in Book 2003-1, Page 290174. Also known, named and identified on the Record Final Subdivision and Land Development Plans last revised December 17, 2002, recorded at Northampton County Recorder's Office in Plan Book Volume 2002-5, Page 000384. Further revised and recorded July 17, 2003, the following pages; cover sheet in Book 2003-5, Page 231, Sheet 2 in Book 2003-5, Page 232, Sheet 5 Book 2003-5, Page 233, Sheet 7 Book 2003-5, Page 234,

Sheet 8 Book 2003-5, Page 235 and Sheet 9 Book 2003-5, Page 236.

Title to said premises is vested in Deana R. Donaherby deed from KENNETH WORDEN dated April 30, 2004 and recorded May 28, 2004 in Deed Book 2004-1, Page 204176.

BEING KNOWN AS 153 Pinehurst Lane, Easton, PA 18042.

TAX PARCEL NUMBER: M10-3-41-153.

THEREON BEING ERECTED a two-story row home style dwelling with attached one-car garage with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Deana R. Donaher.

MARGARET GAIRO, ESQUIRE

No. 14

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-08238**

ALL THAT CERTAIN piece, parcel or tract of land situate partially in the Township of Palmer and partially in the Township of Lower Nazareth, County of Northampton and Commonwealth of Pennsylvania, shown as Lot 11 on the Final Plan of Brentwood, Section 2, as recorded on December 4, 2000, in Map Book 2000-5, Pages 361 and 362 in the Office of the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania, and being further bounded and described as follows, to wit:

BEGINNING at a point on the westerly right-of-way line of Val Vista Drive (50 feet wide) at the southeast corner of Lot 10 of Brentwood; thence along said Val Vista Drive (50 feet wide) South 03°-50'-58" East 111.06 feet to a point at the corner of Lot 21 of Brentwood, Section 2; thence along said lands of Lot 21 and also along lands of Lot 20, both of Brentwood,

Section 2, South 86°-09'-02" West 171.36 feet to a point on line of lands now or late of Arthur and Mary Buzas; thence along said lands now or late of Arthur and Mary Buzas North 01°-34'-42" East 111.56 feet to a point at a corner of Lot 10 of Brentwood; thence along said lands of Lot 10 of Brentwood, North 86°-09'-02" East 160.81 feet to a point, the place of beginning.

BEING the same premises which Rondel Development Company, a Pennsylvania corporation, by Deed dated 02-02-01 and recorded 02-02-01 in the Office of the Recorder of Deeds in and for the County of Northampton in Record Book 2001-1 Page 16736, granted and conveyed unto John J. Berardi and Wendy L. Berardi.

BEING KNOWN AS 3141 Val Vista Drive, Easton, PA.

TAX PARCEL NUMBER: L8NE4-18-11-0418.

THEREON BEING ERECTED a two-story single dwelling with attached two-car garage with vinyl siding and brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of John J. Berardi and Wendy L. Berardi.

ANTHONY R. DISTASIO, ESQUIRE

No. 15

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-11380**

ALL THAT CERTAIN lot or tract of parcel of ground situated in the Forks Township, County of Northampton and Commonwealth of Pennsylvania, being known and referred to as Lot No. 11, as shown and identified on a certain subdivision map, plat or plan entitled "Towne Centre at Sullivan Trail I," which Plan was recorded on August 29, 2005 in the Office of the

Recorder of Deeds in and for Northampton County, Pennsylvania in Map Book 2005-5 and Pages 512.

BEING THE SAME PREMISES which Nic Zawarski and Sons Builders, Inc., a Pennsylvania Corporation, by Deed dated December 14, 2007 and recorded in the Recorder of Deeds Office, in and for the County of Northampton, at Easton, Pennsylvania, in Record Book Vol. 2007-1, Page 452233, did grant and convey unto Jason S. Bell and Samiyyah Q. Whitney, husband and wife.

BEING KNOWN AS 233 Paterson Walk, Easton, PA.

TAX PARCEL NUMBER: K9-15-5A-11.

THEREON BEING ERECTED a two-story row home style dwelling with attached one-car garage with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Jason S. Bell and Samiyyah Q. Whitney, H/W.

JAMES V. FARERI, ESQUIRE

No. 16

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-06835**

ALL THOSE CERTAIN lots or parcels of land situate in Bethlehem Township, Northampton County, Pennsylvania, being designated as Lots Nos. 17, 18, 19 and 20, Block 29, according to the "Plan of Freemansburg Heights" recorded in Map Book 6, page 52, Northampton County Records. Being known as 1526 Third Street, Bethlehem Township, Northampton County, Pennsylvania.

CONTAINING in front on the east-erly side of Third Street one hundred (100') feet and extending in depth between parallel lines a distance of one hundred ten (110') feet to an unopened street.

BEING KNOWN AS 1526 3rd Street, Bethlehem, PA 18020.

TAX PARCEL NUMBER: N7SE11413.

THEREON BEING ERECTED a two-story single bi-level style dwelling with attached one-car garage with vinyl siding and brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Diane K. Ochman and Jan S. Ochman.

MICHAEL T. MCKEEVER, ESQUIRE

No. 17

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-10749**

ALL THAT CERTAIN PIECE, parcel or tract of land situate in the Township of Forks, County of Northampton, and Commonwealth of Pennsylvania as shown as Lot SF E66 on the Final Plan of Vista Estates as recorded in Map Book 1998-5, Page 340 in the Office of the Recorder of Deeds for Northampton County at Easton, Pennsylvania and being further bounded and described as follows, tow wit:

Beginning at a point on the southerly right-of-way line of Vista Drive (50 feet wide) at a corner of Lot as 6 (Common Open Space) of Vista Estates;

Thence along said southerly right-of-way line of Vista Drive (50 feet wide) the following two courses and distances:

1. along the arc of a curve deflecting to the left having a radius of 325.00 feet and central angle of 06°-42'-50" for an arc length of 38.08 feet (chord: North 89°-36'-40" East 38.06 feet) to a concrete monument; thence

2. North 86°-15'-15" East 23.16 feet to a point at a corner of Lot SF E67 of Vista Estates;

Thence along said lands of Lot SF E67 of Vista Estate South 03 -44'-45" East 100.00 feet to a point on line of lands now or late of Walter & Pearl Mills;

Thence along said lands now or late of Walter & Pearl Mills South 86 -15' -15" West 73.19 feet to a point at a corner of Lot OS 6 (Common Open Space) of Vista Estates;

Thence along said lands of Lot as 6 (Common Open Space) of Vista Estates North 02 -58' -05" East 102.93 feet to a point, the place of Beginning.

Said lot subject to any and all drainage and utility easements as shown on the final recorded Plan.

UNDER AND SUBJECT to covenants, conditions, easements and restrictions of record.

BEING THE SAME PREMISES BY DEED DATED 03/30/2006, GIVEN BY CARLOS MARQUES AND CELINA PEREIRA MARQUES TO PATRICK LINDOR, AS SOLE OWNER AND RECORDED 04/03/2006 IN BOOK 2006-1 PAGE 131058 INSTRUMENT# 2006021352.

BEING KNOWN AS 105 Vista Drive, Easton, PA 18040.

TAX PARCEL NUMBER: K9-39A-6.

THEREON BEING ERECTED a two-story single dwelling with attached two-car garage with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Patrick Lindor.

MICHAEL T. McKEEVER, ESQUIRE

No. 19

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2011-09104

ALL THAT CERTAIN message or tenement and lot or piece of ground situate in the City of Bethlehem,

County of Northampton and Commonwealth of Pennsylvania, known as 317 East Church Street according to present city numbering, bounded and described as follows, to wit:

BEGINNING at a point in the North side of East Church Street, where the same intersects with the West line of Pulaski Street; thence in and along the North side of East Church Street westwardly a distance of 15 feet more or less to a point in the middle of a party or partition wall separating the house erected on the premises herein described from the house adjoining on the West; thence northwardly along a line parallel to Pulaski Street a distance of 180 feet more or less to Wesley Street; thence eastwardly 15 feet more or less to a point on the western line of Pulaski Street; thence southwardly along the western line of Pulaski Street 180 feet to a point the place of beginning.

BOUNDED on the North by Wesley Street, on the East by Pulaski Street, on the South by East Church Street and on the West by premises 315 East Church Street.

BEING KNOWN AS 317 E. Church Street, Bethlehem, PA.

TAX PARCEL NUMBER: P6NE4B-6-4.

THEREON BEING ERECTED a two-story half-of-double style dwelling with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Heather A. Holtzer Flynn.

MICHAEL R. NESFEDER,
ESQUIRE

No. 20

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2011-04910

ALL THAT CERTAIN message, tenement and four certain lots of land

known and designated as Lots Nos. 9, 10, 11, and 12 Block 21 as laid out on a certain Map or Plan of Lots designated as follows:

FREEMANSBURG HEIGHTS property formerly of Charles F. Miller, Bethlehem Township, Northampton County, Pennsylvania, Charles W. Gossart, Civil Engineer and Surveyor, Allentown, Pa September 1916 said Map or Plan being duly recorded in the Office of the Recorder of Deeds of Northampton County in Book of Maps and Plans Vol. 6 Page 52 said Lots of land being situated on the East side of Washington Street each of said lots having a frontage of 25 feet on Washington Street and of that width extending back Eastwardly between parallel lines at right angles to Washington Street 110 feet to a 20 feet wide street known as Cherry Street.

Title to said premises is vested in Paula D. Wharen and James J. Wharen, husband and wife, by deed from KEITH A. STRUNK dated October 2, 2004 and recorded November 1, 2004 in Deed Book 2004-1, Page 422765.

BEING KNOWN AS 1532 Lindberg Street, Bethlehem, PA 18020.

TAX PARCEL NUMBER: N7SW2-8-10.

THEREON BEING ERECTED a two-story half-of-double style dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Paula D. Wharen and James J. Wharen.

MARGARET GAIRO, ESQUIRE

No. 22

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-01902**

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

situated on the south side of Pearl Street, in the City of Easton, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the south building line of said Pearl Street at the distance of one hundred and seventy feet east of the intersection of said building line with the east building line of Eighth Street; thence extending eastward along said south building line of said Pearl Street nineteen (19) feet, and of that same width extending southwardly eighty-five (85) feet.

BEING KNOWN AS 718 Pearl Street, Easton, PA 18042.

TAX PARCEL NUMBER: L9SE1B 8 F 0310.

THEREON BEING ERECTED a three-story half-of-double style dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Richard L. Lovell, Jr.

MICHAEL T. MCKEEVER, ESQUIRE

No. 24

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-09433**

ALL THAT CERTAIN tract of land situate in the aforesaid Township of Washington, as bounded and described in accordance with a survey made on June 7, 1947 by David O. Pritchard, Registered Engineer, as follows:

BEGINNING at the Northeast corner of the lot, formerly called the Schoolhouse lot, now other land of the Grantor herein, and the West side of the public road or street leading from Ackermanville to Bangor; thence along the North side of the said Schoolhouse lot, now land of the Grantor herein, South seventy-five

degrees West one hundred fifty feet (S 75° W 150 ft.) to a point; thence North seventeen degrees ten minutes East sixty-five feet (N 17° 10' E 65 ft.) to a point; thence South seventy-five degrees East one hundred fifty feet (S 75° E 150 ft.) to a point on the West side of the aforesaid public road; thence South seventeen degrees ten minutes West sixty-five feet (S 17° 10' W 65 ft.) along the West side of the aforesaid public road to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Paul A. Dalton, unmarried and Jennesa E. Weaver, unmarried, as joint tenants with right of survivorship by Deed from Budd Shoemaker dated 3/14/2008 and recorded 3/27/2008 in Record Book Volume 2008-1 Page 84039.

BEING KNOWN AS 214 Washington Boulevard, Bangor, PA.

TAX PARCEL NUMBER: E9SE1-1-19.

THEREON BEING ERECTED a two-story single dwelling with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Paul A. Dalton and Jennesa E. Weaver.

MARTHA E. VON ROSENSTIEL,
ESQUIRE

No. 25

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2010-12148

ALL THAT CERTAIN tract or parcel of land situate at the Northwesterly corner of the intersection of Township Road 575 known as Jacksonville Road and Township Road 431 known as Macada Road in the Township of Hanover, County of Northampton and Commonwealth of Pennsylvania, in accordance with a boundary survey by Keystone Consulting Engineers, Inc., of Bethlehem, Pennsylvania, on

June 10, 1987, last revised 7/12/2004 and recorded 9/14/2004 in Map Book 2004-5, Page 580, as follows to wit:

TITLE TO SAID PREMISES IS VESTED IN Julio Delacruz, a married man, by Deed from NVR, Inc., Virginia Corporation, Trading as Ryan Homes, dated 12/07/2007, recorded 12/21/2007 in Book 2007-1, Page 452929.

BEING KNOWN AS 1310 Tyler Way, Bethlehem, PA 18017-3070.

TAX PARCEL NUMBER: N6 22 1-86 0214.

THEREON BEING ERECTED a two-story single dwelling with attached two-car garage with vinyl siding and brick and fieldstone exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Julio Delacruz.

DANIEL G. SCHMIEG, ESQUIRE

No. 26

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2010-08430

ALL THOSE TWO CERTAIN lots or pieces of land, hereditaments and appurtenances, situate in the Township of Lehigh, County of Northampton and State of Pennsylvania, and known as Lots Nos. 35 and 36 as shown on a Plan of Indian Trail Park, Inc., dated April 1930 and prepared by Bascom and Sieger, Civil Engineers of Allentown, Pennsylvania, said lots being bounded and described as follows:

BEGINNING at a point on Monocacy Street, said point being the Northeast corner of Lot No. 34, thence along said Lot No. 34 in a Westerly direction 88.5 feet more or less to a point, said point being the Northwest corner of Lot No. 34 and being located on Seneca Street, thence along

said Seneca Street with a curve to the right to another point on Seneca Street, said point being the Southwest corner of Lot No. 37, thence along Lot No. 37 in an Easterly direction 67.5 feet more or less to a point on Monocacy Street, said point being also the Southeast corner of Lot No. 37, thence along said Monocacy Street in a Southerly direction a distance of 136 feet more or less to the place of beginning.

BEING KNOWN AS 426 Chin-chona Road, Northampton, PA.

TAX PARCEL NUMBER: J3SE3 2 3.

THEREON BEING ERECTED a two-story single bi-level style dwelling with attached one-car garage with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of James R. Ayoub.

ROBERT P. DADAY, ESQUIRE

No. 27

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-08039**

ALL THAT FOUR joining building lots, with improvements thereon erected, known as Lots Number 1, 2, 3 and 4 on a plan of survey made by J.H. Silfies, Borough Engineer of the Borough of Bath, said lots being situated in the Borough of Bath, County of Northampton, and Commonwealth of Pennsylvania, and bounded and described as follows to wit:

BEGINNING at a point on the Northeast corner of Chestnut and Northampton Streets, each street 33 feet wide; thence North three degrees West one hundred and sixty feet along the East side of said Chestnut Street, to a point at Lot #5; thence along Lot #5 North eighty-seven degrees East one hundred and seventeen feet to a point on a ten feet wide alley; thence

along said alley South three degrees East one hundred and fifty-two feet to a point on the aforesaid Northampton Street; thence along the North side of said Northampton Street North eighty-nine degrees West one hundred and seventeen feet to the place of Beginning.

BEING KNOWN AS 107 N. Chestnut Street, Bath, PA.

TAX PARCEL NUMBER: K6NW4B 6 11.

THEREON BEING ERECTED a two-story apartment building with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of RCL Investment Group, LLC.

ROBERT P. DADAY, ESQUIRE

No. 28

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-12834**

ALL THAT CERTAIN tract or piece of land, with the building and garages thereon, situated and lying in the City of Easton, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point (said point being 12 feet from the Eastern curb line of 8th Street and 12 feet from the Southern curb line of Ferry Street), thence Eastwardly along a line parallel to Ferry Street twenty-nine (29) feet, more or less, to a line running through the center of the partition separating #736 and #738 Ferry Street; thence Southerly along this dividing line one hundred fifty-five feet two inches (155'2"); thence Westwardly along a line at right angles to 8th Street, twenty-nine (29) feet; thence Northerly parallel to 8th Street, one hundred fifty-five two inches (155'2"), more or less, to place

of Beginning. Bounded on the North by Ferry Street, on the East by property of Nettie F. Sandt, on the South by other property of C. Fleming Sandt and on the West by 8th Street.

BEING KNOWN AS 738 Ferry Street, Easton, PA.

TAX PARCEL NUMBER: L9SE1C 4 1.

THEREON BEING ERECTED a two-story half-of-double style dwelling with attached two-car garage with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Theodore Kangas, Jr.

ROBERT P. DADAY, ESQUIRE

No. 29

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-12828**

ALL THAT CERTAIN tract or parcel of land and messuage or tenement thereon erected lying and being on the South side of Lincoln Street in the City of Easton, aforesaid, bounded and described as follows; known as Lot No. 19 (being a certain part thereof as herein after set-forth) on plan of lots of Samuel Kleinham Estate, recorded in Easton aforesaid in Book of Maps No. 9, page 27 & C.

BEGINNING at a point 472 feet East of the building line at the intersecting point of the Southeast corner of St. John and Lincoln Streets; thence Eastwardly along Lincoln Street 28 feet to Folk Street; thence extending Southwardly along Folk Street 140 feet to Bird Street; thence extending Westwardly along Bird Street 25.28 feet, more or less to land of John J., Ferris, Jr., thence Northwardly 140 feet to the place of beginning.

BOUNDED on the North by Lincoln Street on the South by Bird Street on the East by Folk Street and

on the West by remaining part of Lot No. 19 the middle of the partition wall between the adjoining buildings being the dividing line.

BEING KNOWN AS 102 Lincoln Street, Easton, PA.

TAX PARCEL NUMBER: L9SE3C 19 15.

THEREON BEING ERECTED a two-story half-of-double style dwelling with brick exterior and shingle roof; detached three-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Jared L. Frey.

ROBERT P. DADAY, ESQUIRE

No. 30

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-08899**

ALL THAT CERTAIN message, tenement and tract of land together with the dwelling thereon erected and known as number Ten Hundred and Thirty-Five (1035) Wood Avenue in the City of Easton, County of Northampton, and State of Pennsylvania, more particularly bounded and described as follows, to wit:

BEGINNING at the intersection of the westerly property line of Warren Street with the northerly property line of Wood Avenue; thence along the northerly property line of Wood Avenue, north seventy-one degrees (71°), thirty-one (31) minutes West, forty-two and thirty-four hundredths (42.34) feet to a point in line of premises number Ten Hundred and Thirty-Nine (1039) Wood Avenue, thence north ten degrees (10°) no minutes, West forty-nine and seventy-one hundredths (49.71) feet to a point in other lands of Ruth Rush Hoadley (formerly Ruth D. Rush, Single); thence along other lands of the said Ruth Rush Hoadley (formerly Ruth D. Rush, Single), North

eighty degrees (80°), no minutes, east thirty-seven and twenty-two hundredths (37.22) feet to a point in the westerly property line of Warren Street; thence along the westerly property line of Warren Street; south ten degrees (10°), no minutes east sixty-nine and ninety-five hundredths (69.95) feet to the point or place of beginning.

BEING KNOWN AS 1035 Wood Avenue, Easton, PA.

TAX PARCEL NUMBER: L9NE4D 25 8.

THEREON BEING ERECTED a two-story single dwelling with attached one-car garage with stucco exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Charles J. Bassoline.

ROBERT P. DADAY, ESQUIRE

No. 41
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-04160

All That Certain lot or tract of land known as 705 Overlook Drive, Bethlehem, and shown as Lot No. 54 on a Subdivision Plan of Stones Crossing Phase Two, recorded in Map Book Volume 87, Page 98, prepared by the Martin H. Schuler Company, Engineers and Surveyors of Allentown, situated in Hanover Township, Northampton County, Pennsylvania, more particularly described as follows:

BEGINNING at a point on the southern property line of Overlook Drive said point being located the following three (3) courses and distances east of the point formed by the intersection of the southern property line of Overlook Drive extended with the eastern property line of land now or late of Clinton and Lilly Koehler: (1) North 85 degrees - 37 minutes - 03

seconds East 179.19 feet to a point of curvature; (2) along an arc having a central angle of 23 degrees - 51 minutes - 54 seconds, radius of 175 feet, tangent 36.98 feet, a distance of 72.89 feet to a point of tangency; (3) North 61 degrees - 45 minutes - 09 seconds East 25.81 feet to a point; thence extending along Lot No. 79 of the aforementioned subdivision South 28 degrees - 14 minutes - 51 seconds East 187.65 feet to a point; thence extending along land designated as a noise barrier to be dedicated to Hanover Township North 63 degrees - 46 minutes - 00 second East 25.02 feet to a point; thence extending along Lot No. 55 of the aforementioned subdivision North 28 degrees - 14 minutes - 51 seconds West 188.53 feet to a point; thence extending along the southern property line of Overlook Drive South 61 degrees - 45 minutes - 09 seconds West 25.00 feet to the place of beginning.

CONTAINING 4,703.1 square feet.

SUBJECT, however, to a 20.00 foot wide drainage easement through the southern portion of the above described property.

SUBJECT, however, to a 10.00 foot wide T.V., electric, and telephone easement along Overlook Drive.

SUBJECT, however, to a 35.00 foot building restriction set back lines along the northern boundary.

SUBJECT, however, to a 10.00 foot wide Township Access right of way easement along the aforesaid drainage easement through the southern portion of the above described property.

SUBJECT, however, to a 10.00 foot wide mutual utility easement for maintenance of utility laterals and those of adjacent owners.

TITLE TO SAID PREMISES IS VESTED IN Johanna L. Schildt, a single individual and Angel L. Torres,

a single individual, by Deed from Jeffrey L. Williams, dated 06/01/2007, recorded 06/05/2007 in Book 2007-1, Page 205489.

BEING KNOWN AS 705 Overlook Drive, Bethlehem, PA 18017-2314.

TAX PARCEL NUMBER: M6SW4 10 29 0214.

THEREON BEING ERECTED a two-story row home style dwelling with attached one-car garage with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Johanna L. Schildt and Angel L. Torres.

DANIEL G. SCHMIEG, ESQUIRE

No. 42

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-08382**

ALL THAT CERTAIN piece, parcel or tract of land situate in the Borough of West Easton, County of Northampton and Commonwealth of Pennsylvania, shown as Tax Map Identifier No. L9SW3D-15-5 on the final lot line adjustment plan, lands of John F. Smith and Gail Geiger, et al., as recorded in Map Book 91, Page 216 in the Office of the Recorder of Deeds for Northampton County at Easton, Pennsylvania, and being further bounded and described as follows, to wit:

BEGINNING at an iron pin being the intersection of the westerly right-of-way line of a 15 foot wide alley and the northerly right-of-way line of Main Street (50 foot wide); thence along said northerly right-of-way line of Main Street, South 71 degrees 39 minutes 00 seconds West 30.00 feet to an iron on a corner of lands now or formerly of Gail M. and John J. Geiger; thence along said lands now or formerly of Gail M. and John J. Geiger North 18 degrees 21 minutes

00 seconds West 70.04 feet to an iron pin on a corner of lands now or formerly of John F. and Martha Smith; thence along said lands now or formerly of John F. and Martha Smith North 71 degrees 39 minutes 00 seconds East 30.00 feet to an iron pin on the westerly right-of-way line of a 15 foot wide alley; thence along said westerly right-of-way line of a 15 foot wide alley South 18 degrees 21 minutes 00 seconds East 70.04 feet to an iron pin the place of beginning.

Said lot being subject to any and all drainage and utility easements as shown on the final recorded plan.

Said description is in accordance with a recent survey prepared by estate developers and engineers as shown on a plan dated July 31, 1991 and recorded in the Recorder of Deeds Office in Map Book 91, Page 216.

TITLE TO SAID PREMISES IS VESTED IN Jeffrey F. Randolph and K. Therese Randolph, by Deed from Christine Schmieder and Frank Schmieder, dated 04/23/2008, recorded 04/28/2008 in Book 2008-1, Page 122091.

BEING KNOWN AS 93 Main Street, West Easton, PA 18042-6148.

TAX PARCEL NUMBER: L9SW3D 15 5 0835.

THEREON BEING ERECTED a three-story single dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Jeffrey F. Randolph aka Jeffrey Randolph and K. Therese Randolph aka Therese K. Randolph.

DANIEL G. SCHMIEG, ESQUIRE

No. 43

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-01451**

ALL THAT CERTAIN UNIT, designated as 11 West 2nd Street Unit

#386 in the LEHIGH RIVERPORT CONDOMINIUM, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Lehigh Riverport Condominium, dated August 26, 2004, and recorded on August 26, 2004, in the Office of the Recorder of Deeds in and for Northampton County in Book Volume 2004-1, Page 336478, as amended from time to time and as identified on the Lehigh Riverport Condominium Plat recorded in the Office of the Recorder of Deeds in and for Northampton County in Plan Book Volume 2004-5, Page 531, as amended from time to time.

TOGETHER with a .3816% percent undivided interest of, in and to the common elements as set forth in the aforesaid Declaration of Condominium, Condominium Plat and Amendments thereto.

BEING KNOWN AS 11 West 2nd StreetCondo 386, Bethlehem, PA 18015.

TAX PARCEL NUMBER: P6-2-386.

THEREON BEING ERECTED a single story condominium style dwelling with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Alain Aoun.

MICHAEL T. McKEEVER, ESQUIRE

No. 44

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2009-11073

ALL THAT CERTAIN lot or piece of ground situate on the North side of Union Street in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, being the western half of Lot No. 35, Union Street, according to the plan of Beth-

lehem published by William T. Roep-
per, A.D. 1855, bounded and de-
scribed as follows, to wit:

BEGINNING at a point distant thirty (30) feet West from the north-
west corner of Union Street and
School Street; thence westwardly
along the north side of Union Street
thirty (30) feet to a point in the eastern
line of now or late of Jacob A. Green,
et ux; thence Northwardly along the
eastern line of lot now or late of Jacob
A. Green et ux, one hundred sixty-five
(165) feet to a point in the Southern
line of Spruce Street; thence east-
wardly along the Southern line of
Spruce Street thirty (30) feet to a point
in the Western line of lot now or late
of Annie I. Keim; thence Southward-
ly along the western line of lot now or
late of Annie I. Keim one hundred
sixty-five (165) feet to Union Street,
the point and place of beginning. (The
said School Street and the said
Spruce Street were formerly desig-
nated as School Alley).

BEING KNOWN AS 51 East Union
Boulevard, Bethlehem, PA 18018.

TAX PARCEL NUMBER:
P6NE1A-16-7 0204.

THEREON BEING ERECTED a
two-story single dwelling with brick
exterior and shingle roof.

SEIZED AND TAKEN into execu-
tion of the writ as the property of
Kristin A. Fodi.

MICHAEL T. McKEEVER, ESQUIRE

No. 45

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2010-04341

ALL THOSE TWO CERTAIN tracts
or parcels of land and premises here-
inafter particularly described, situate,
lying and being in the Borough of
Portland, in the County of Northamp-
ton, and State of Pennsylvania,
bounded and described as follows, to
wit:

NO. 1: BEGINNING at a corner in Main Street; thence along said street South sixty-seven degrees West forty feet to a corner in Good Street (now Pennsylvania Avenue); thence along said Avenue, South fifteen degrees East one hundred and ten feet to a corner in land of the Estate of Enos Goble; thence along said land North sixty-six degrees East forty feet to a corner in land of the same; thence along line of said land North fifteen degrees West one hundred and ten feet to the place of beginning.

NO. 2: BEGINNING at a corner in Main Street and Lot No. 8; thence South seventy-five degrees West to a corner of Lot No. 10; thence by other land now or late of David R. Hull, South fifteen degrees East one hundred and ten feet to a corner of Lot No. 12; thence North seventy-five degrees East thirty-five feet to a corner of Lot No. 8; thence by Lot No. 8 North fifteen degrees West one hundred and ten feet to the place of Beginning. Said lot being designated on Plot as No. 9.

BEING KNOWN AS 117 Main Street, Portland, PA 18351.

TAXPARCELNUMBER:C11NE2B4-1-0127.

THEREON BEING ERECTED a two-story single dwelling with vinyl siding exterior and shingle roof; detached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of The Unknown Heirs of Donald R. Lewis, Deceased and Charlene Lewis, Solely in Her Capacity as Heir of Donald R. Lewis, Deceased.

MICHAEL T. McKEEVER, ESQUIRE

No. 46

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION**

CV-2011-09703

ALL THAT CERTAIN message and tracts and parcels of land and

premises situate, lying and being in the Township of Moore, known as 95 Moorestown Drive, in the County of Northampton and Commonwealth of Pennsylvania, more particularly described as follows:

TRACT NO. 1: BEGINNING at a point along the Allentown-Wind Gap Road, as described in previous deeds, it being the northeast corner of lands heretofore conveyed to Melbourne Pike and wife; thence along lands now or late of the latter due West 342 feet to a point, being the northwest corner of lands now or late of Melbourne Pike and Roth, of which this was a part, North 20 1/4 degrees East 100.00 feet to a point and thence due East 342 feet to a point along said road, being also in the sixth course of previous deeds; thence along the same South 20 1/4 degrees West 100.00 feet to the place of beginning.

TRACT NO. 2: BEGINNING at a point along the Allentown-Wind Gap Road, and in the sixth course of the deed from Ruth M. Waltman to Wilson P. Roth and wife, recorded in Deed Book F, Vol. 64, Page 298, said point of beginning being North 20 1/4 degrees East 288 feet from the corner post in said road in said deed mentioned; thence along other lands now or late of Clarence R. Beers, due West 342 feet to a point; thence along lands now or late of Wilson P. Roth and wife, of which this was a part, North 20 1/4 degrees East 100.00 feet to a point; thence along other lands now or late of Wilson P. Roth and wife, said lands now or late of Donald E.

BEING KNOWN AS 95 Moorestown Drive, Bath, PA 18014.

TAX PARCEL NUMBER: J6-10-9-0520.

THEREON BEING ERECTED a single ranch style dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Charlene Mateus.

MICHAEL T. MCKEEVER, ESQUIRE

No. 47

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION**

CV-2011-00481

ALL THAT CERTAIN pierce or parcel of land situate in the Borough of Bangor, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at the northwest intersection of the building line of Bangor Street and North First Street; thence along the north building line of Bangor Street South seventy-eight (78) degrees ten (10) minutes West one hundred twenty and two-tenths (120.2) feet to a point and land now or late of John Morgan Jones; thence along the same North eleven (11) degrees twenty-five (25) minutes West fifty-two and seven-tenths (52.7) feet to a point and land now or late of Verne Arnts' Estate; thence along the same North seventy-eight (78) degrees ten (10) minutes East one hundred twenty and two-tenths (120.2) feet to a point on the west side of North First Street; thence along the west side of North First Street South eleven (11) degrees twenty-five (25) minutes East to a cross cut in the concrete street. Containing a frontage on North First Street of fifty-two and seven-tenths (52.7) feet and extending equal width one hundred twenty and two-tenths (120.2) feet.

IT BEING THE SAME PREMISES which William Hamway and Mary Hamway, his wife, by their Indenture bearing date the sixth day of April, A.D. 2001, for the consideration therein mentioned, granted and conveyed unto the said Paul D. Prebor, and to his heirs and assigns, forever;

as in and by the said in part recited Indenture recorded in the Office of the Recorder of Deeds in and for Northampton County, at Easton, Pennsylvania, in Record Book Volume 2001-1, Page 60382, etc., relation being thereunto had, more fully and at large appears.

BEING KNOWN AS 72 First Street, Bangor, PA.

TAX PARCEL NUMBER: E9NE2A-3-12.

THEREON BEING ERECTED a two-story apartment building with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Paul D. Prebor.

ALFRED S. PIERCE, ESQUIRE

No. 48

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION**

CV-2009-13108

ALL THAT CERTAIN messuage, tract or parcel of land, Hereditaments and Appurtenances, Situate on the Northerly side of Spring Street in the Borough of West Easton, County of Northampton and Commonwealth of Pennsylvania, and known as and designated 201 Spring Street, bounded and described according to a survey dated May 18, 1999, prepared by William L. Diehl, P.E., P.L.S., as follows, to wit:

BEGINNING at a point located on the Northerly right-of-way line of Spring Street being South 58 degrees 30 minutes 0 seconds West a distance of 100.08 feet from the point of intersection of the Westerly right-of-way line of Low Street and the Northerly right-of-way line of Spring Street; thence continuing along the Northerly right-of-way line of Spring Street South 58 degrees 30 minutes 0 seconds West a distance of 18.88 feet to

a point; thence along land now or formerly of John V. and Suzanne L. Moyer North 31 degrees 19 minutes 0 seconds West a distance of 139.94 feet to a point; thence along the Southerly right-of-way line of a 20 feet wide alley North 58 degrees 30 minutes 0 seconds East a distance of 31.67 feet to an iron pin; thence along land now or formerly of John William, Sr. and Shirley M. Border the following three courses and distances: (1) South 30 degrees 59 minutes 12 seconds East a distance of 26.75 feet to an iron pin; (2) South 20 degrees 13 minutes 12 seconds East a distance of 62.40 feet to a point; (3) through the center of a partition wall of a double frame dwelling South 30 degrees 31 minutes 17 seconds East a distance of 52 feet to a point, the place of beginning.

CONTAINING 0.074 acres (3,415 square feet) of land.

TITLE TO SAID PREMISES IS VESTED IN Stacy Sprague, by deed from Malissa L. Bartholomew, N/K/A Malissa L. Carson and Kenneth Carson, husband and wife, dated 4/18/05 and recorded 4/20/05, in Book 2005-1, Page 142523.

BEING KNOWN AS 201 Spring Street, West Easton, PA 18042-6156.

TAX PARCEL NUMBER: L9SW3D 17 3 0835.

THEREON BEING ERECTED a three-story half-of-double style dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Stacy Sprague.

DANIEL G. SCHMIEG, ESQUIRE

No. 49

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION**

CV-2011-08152

ALL THAT CERTAIN lot or tract or parcel of ground situated in the Bor-

ough of Freemansburg, County of Northampton and Commonwealth of Pennsylvania, being known and referred to as Lot 9, as shown and identified on a certain subdivision map, plat or plan entitled 'Market Square,' which Plan was recorded on September 27, 2001 in the Office of the Recorder of Deeds in and for Northampton County, Pennsylvania in Map Book 2001-5, at Pages 264 and 265.

TITLE TO SAID PREMISES IS VESTED IN Osama A. Morsy and Awdad M. Awad, h/w, by Deed from Robert W. Milligan and Lisa M. Milligan, h/w, dated 10/06/2006, recorded 10/10/2006 in Book 2006-1, Page 421084.

BEING KNOWN AS 117 North Oak Street, Freemansburg, PA 18017-7065.

TAX PARCEL NUMBER: P7 2 3-9 0212.

THEREON BEING ERECTED a two-story townhouse style dwelling with attached one-car garage with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Osama A. Morsy aka Osama Morsy and Awdad M. Awad.

DANIEL G. SCHMIEG, ESQUIRE

No. 50

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-07830**

ALL THAT CERTAIN parcel of land, situate in the Township of Williams, County of Northampton and State of Pennsylvania, described as follows:

BEGINNING at a point in Moyer's Lane leading from Old Philadelphia Road to the Delaware River; thence north 80 degrees 00 minutes east 219.45 feet to a point; thence north 12 degrees 00 minutes west 57.75

feet to a point; thence north 63 degrees 00 minutes east 254.10 to a point; thence south 81 degrees 00 minutes west 496 feet, more or less, to a point; thence south 21 degrees 00 minutes east, 136 feet, more or less, to the point of beginning.

EXCEPTING AND RESERVING THEREOUT all that certain parcel of land, situate in the Township of Williams, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point north 12 degrees 00 minutes west 57.75 feet, more or less, from a point in Moyer's Lane, leading from the Old Philadelphia Road to the Delaware River; thence north 12 degrees 00 minutes west 76 feet, more or less, to a point in land of Kenneth G. Llewelyn, et ux.; thence along the same north 80 degrees 00 minutes east 248.16 feet, more or less, to a point; thence south 63 degrees 00 minutes west, 254.10 feet to the point the place of beginning.

Bounded on the north by land of Kenneth G. Llewelyn, et ux., on the east partly by land of said Kenneth G. Llewelyn, et ux., and other property of the Grantees, on the south by land of the Grantees herein, and on the west by other land of the Grantors.

TITLE TO SAID PREMISES IS VESTED IN John J. Kenny and Corina Kenny, by deed from Susan M. Meyers, Executrix, under the last will and testament of Oliver H. Seiple, Deceased, dated 12/1/04 and recorded 12/22/04, in Book 2004-1, Page 494352.

BEING KNOWN AS 200 Moyers Lane, Easton, PA 18042-6948.

TAX PARCEL NUMBER: M9 17 7 0836.

THEREON BEING ERECTED a single ranch style dwelling with at-

tached two-car garage with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of John J. Kenny and Corina M. Kenny a/k/a Corina Kenny.

DANIEL G. SCHMIEG, ESQUIRE

No. 51**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-03607**

ALL THAT CERTAIN messuage, tenement, lot or piece of ground situate in the Borough of Freemansburg, Northampton County, Pennsylvania, also known as part of Lot No. 48 and part of Lot No. 49 as shown on the Final Plan of Monroe Acres, prepared by Estate Developers and Engineers, Consulting Engineers, of West Easton, Pennsylvania, dated August 6, 1986 and last revised December 12, 1986, as recorded in Map Book 87, page 158 in the Office of the Recorder of Deeds at Easton, Pennsylvania in said County being bounded and further described, as follows, to wit:

BEGINNING at a point on the Southerly right of way line of Lincoln Street (50.00 feet wide); thence along the southerly right of way line of Lincoln Street South 89 degrees 48 minutes 57 seconds East, a distance of 40.00 feet to a point, said point being the Northwest corner of Lot No. 49 of Monroe Acres; thence along and through said Lot No. 49 the following five courses and distances: (1) South 00 degrees 11 minutes 03 seconds West, 30.81 feet to a point; (2) South 89 degrees 49 minutes 01 seconds East, 0.43 feet to a point; (3) South 02 degrees 12 minutes 05 seconds West, 42.02 feet along and through a party wall, to a point; (4) South 89 degrees 48 minutes 56 seconds East, 1.05 feet to a point; (5) South 00 de-

grees 11 minutes 03 seconds West, 141.89 feet to a point in line with the lands now or formerly of Pennsylvania Power and Light Company; thence along said lands of Pennsylvania Power and Light Company North 89 degrees 44 minutes 52 seconds West, a distance of 40.00 feet to a point; said point being the Southeast corner of Lot No. 47 of Monroe Acres; thence along Lot No. 47 North 00 degrees 11 minutes 03 seconds East, a distance of 214.65 feet to a point, the place of BEGINNING.

UNDER AND SUBJECT to covenants, conditions, restrictions and easements as appear of record and especially those shown on Plan of "Monroe Acres," hereinabove referred to.

Being known as: 912 Lincoln Street, Freemansburg, Pennsylvania 18017.

Title to said premises is vested in Clint Moore, unmarried by deed from SERGIO RUDOI, JR., MARRIED dated February 11, 2005 and recorded February 14, 2005 in Deed Book 2005-1, Page 054898.

BEING KNOWN AS 912 Lincoln Street, Freemansburg, PA 18017.

TAX PARCEL NUMBER: P7NW1B 9 31.

THEREON BEING ERECTED a two-story half-of-double style dwelling with attached one-car garage with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Clint Moore.

MARGARET GAIRO, ESQUIRE

No. 53
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-11261

ALL THAT CERTAIN lot or piece of land together with the southern one-half of a double frame dwelling and

garage thereon erected and known as No. 716 Pardee Street, in the City of Easton, County of Northampton and Commonwealth of Pennsylvania, being fully bounded and described as follows, to wit:

BEGINNING at a point in the westerly property line of Pardee Street in line of #714 Pardee Street, said point being distant 119.36 feet northerly from the intersection of the northern property line of Burke Street with the westerly property line of Pardee Street; thence

(1) along #714 Pardee Street, South 75 degrees 43 minutes West 130.00 feet to a point in the easterly property line of Blanch Street; thence

(2) along the easterly property line of Blanch Street, North 14 degrees 17 minutes West 23.08 feet to a point in line of #718 Pardee Street; thence

(3) along #718 Pardee Street and passing partly through a party wall of a garage, North 75 degrees 43 minutes East 27.34 feet to a point; thence

(4) continuing along #718 Pardee Street, South 88 degrees 10 minutes East 11.10 feet to an iron pin; thence

(5) continuing along #718 Pardee Street and passing partly through a party wall, North 75 degrees 43 minutes East 92.00 feet to a point in the westerly property line of Pardee Street; thence

(6) along the westerly property line of Pardee Street, South 14 degrees 17 minutes East 20.00 feet to the point or place of Beginning.

BEING all of Lot #101 and part of Lot #100 as shown on a Plan of Lots of Fitzgerald-Speer Company recorded in the Office for the Recording of Deeds at Easton in Map Book 3, page 3.

TITLE TO SAID PREMISES IS VESTED IN Christopher P. Brouba-

low and Sylvia P. Broubalow, h/w, by Deed from One Bridge Partners, LLC., by Christopher M. Kline, Managing member and Michael J. Irwin, Managing Member, dated 06/21/2007, recorded 07/05/2007 in Book 2007-1, Page 247242.

BEING KNOWN AS 716 Pardee Street, Easton, PA 18042-1420.

TAX PARCEL NUMBER: L9NE2A 16 3 0310.

THEREON BEING ERECTED a three story half-of-double style dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Sylvia P. Broubalow and Christoph P. Broubalow.

DANIEL G. SCHMIEG, ESQUIRE

No. 55

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-07330**

ALL THAT southern one-half of a double dwelling house and lot of land situate on the East side of and known as No. 918 South Twenty-fourth Street, in the Borough of Wilson, County of Northampton, State of Pennsylvania, more particularly bounded and described as follows:

CONTAINING in front on said South Twenty-fourth Street twenty (20') feet and extending of that width in depth eastwardly one hundred (100') feet to a private alley, and being Lot No. 118 on the plan of lots of Lipschitz and Peters recorded in the Office for the Recording of Deeds in and for the County of Northampton in Map Book 4, page 31.

BOUNDED on the North by Lot No. 119 on said plan of lots, on the East by said private alley, on the south by Lot No. 117, and on the West by South Twenty-fourth Street. The northern boundary line of the prem-

ises hereby conveyed passes through the partition wall of the double dwelling house erected on the lot hereby conveyed and on the lot adjacent to the North.

Under and subject to the following conditions: That a four (4') feet wide alley is to be left on the south side of the dwelling hereby conveyed, and that no building be erected that shall extend beyond the present line of buildings erected on the adjoining premises.

BEING THE SAME PREMISES which Robert J. Matyas, by Deed dated January 12, 1999 and recorded in the Recorder of Deed Office in and for Northampton County at Easton, Pennsylvania, in Deed Book Volume 1999-1, page 005956, granted and conveyed unto Christopher T. Hanna, a married man, individually.

TITLE TO SAID PREMISES IS VESTED IN RICHARD L. MODAVIS III AND REBECCA L. MODAVIS, HUSBAND AND WIFE BY DEED FROM CHRISTOPHER T. HANNA, A MARRIED MAN, INDIVIDUALLY DATED 03/10/1999 RECORDED 03/26/199 AS DOCUMENT NO.: 1999012272.

BEING KNOWN AS 918 South 24th Street, Easton, PA 18042.

TAX PARCEL NUMBER: M9NW1B-13-19.

THEREON BEING ERECTED a three-story half-of-double style dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Richard L. MoDavis III and Rebecca L. MoDavis.

MARK J. UDREN, ESQUIRE

No. 58

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-09870**

ALL THAT CERTAIN parcel of real estate located in the Borough of Wil-

son, County of Northampton, Commonwealth of Pennsylvania, described as follows:

BEGINNING at a point on the northerly building line of Butler Street, said point being at a distance of 264.12 feet, more or less, on the course South 86 degrees 14 minutes East from the point of intersection of the said building line of Butler Street, if extended, with the easterly building line Sixteenth Street; thence by the northerly building line of Butler Street, North 86 degrees, 14 minutes West, 22.0 feet to a point; thence by lot, now or late, of the grantors, North 3 degrees 30 minutes East, 122.98 feet to a point on the southerly side of an alley of the width of 12.0 feet (the said line passing through the middle partition wall of the double house known as #1517 and #1519 Butler Street); thence by the said side of said alley, South 84 degrees 02 minutes East, 22.02 feet to a point; thence by lot of Frank Young, South 3 degrees 30 minutes West, 122.13 feet to a point, the place of BEGINNING.

BEING the same premises which Jeremy S. Dutt and Nicole D. Dutt, husband and wife, by deed dated December 8, 2008 and recorded December 10, 2008 in and for Northampton County, Pennsylvania, in Deed Book Volume 2008-1, Page 321276, granted and conveyed unto Jessie Aquino, married.

The said Nicole Dutt, joins in this conveyance to convey all right, title and interest which she may have in said premises unto the grantee herein

BEING KNOWN AS 1517 Butler Street, Easton, PA 18042.

TAX PARCEL NUMBER: L9SW3B-2-22.

THEREON BEING ERECTED a three-story half-of-double style dwell-

ing with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Jessie Aquino.

SCOTT A. DIETTERICK, ESQUIRE

No. 59

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-09384**

ALL THAT CERTAIN piece of land situate in the Borough of Pen Argyl, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the South curblineline of William Street and point being North 73 degrees East 20.19 feet from a nail located on the Southeast curblineline of "E" Street and William Street, thence along William Street North 73 degrees East 16.46 feet to a point, thence along land of Daniel Murante South 16 degrees 48.00 minutes West 100.50 feet to an iron pipe, thence along land of Harry Musselman South 73 degrees West 16.46 feet to an iron pipe, thence through the centerline of a party wall of a 1/2 double dwelling North 16 degrees 48.00 minutes East 100.50 feet to the point and place of beginning.

CONTAINING 0.037 acres.

TOGETHER with all rights and privileges and UNDER and SUBJECT to the covenants, exceptions, conditions, reservation and restrictions as of record.

BEING KNOWN AS 646 William Street, Pen Argyl, PA 18072.

TAX PARCEL NUMBER: E8NE1C-6-1B.

THEREON BEING ERECTED a two and a half story half-of-double style dwelling with aluminum siding exterior and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of Ryan Holden.

MICHAEL T. McKEEVER, ESQUIRE

No. 60
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-10003

ALL THAT CERTAIN lot or piece of land situated on the west side of Greenwood Avenue, in the Township of palmer, County of Northampton, and State of Pennsylvania, designated as Lot no. 5 and the south 20 feet of Lot no. 6 on the plan of lots of the Robert H. Walp Development recorded in Map Book 12, Page 22, in the Recorder of Deeds office in and for Northampton County aforesaid, bounded and described as follows, to wit:

BEGINNING at a point on the west side of Greenwood Avenue 426.45 feet south of the southwest corner of Greenwood Avenue and James Street; thence continuing southwardly one hundred (100') feet to a point in line of Lot no. 4; thence westwardly at right angles to Greenwood Avenue of that same width in depth one hundred fifty (150') feet to land of Northampton Memorial Shrine. Bounded on the north by a portion of Lot no. 6; on the east by Greenwood Avenue; on the south by Lot no. 4; and on the west by the Northampton Memorial Shrine.

BEING KNOWN AS 219 North Greenwood Avenue, Easton, PA 18045.

TAX PARCEL NUMBER: L8SE2-8-4.

THEREON BEING ERECTED a two-story single dwelling with attached two-car garage with vinyl siding and stone exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Edward Richline.

MICHAEL T. McKEEVER, ESQUIRE

No. 62
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-10067

That certain piece or parcel of land, and the buildings and improvements thereon, known an 122 Jefferson Street located in the Borough of Wind Gap, County of Northampton, and Commonwealth of Pennsylvania, and being more particularly described in a Deed recorded on July 24, 1980 at Volume 616, Page 738 of the Northampton County Land Records.

Being the same property conveyed from William E. Eliason and Anna M. Eliason to Joann S. Rinaldi by deed recorded July 24, 1980 in Volume 616, Page 738 in the registrar's office of Northampton County.

TITLE TO SAID PREMISES IS VESTED IN JOANN S. RINALDI, TRUSTEE OF THE JOANN S. RINALDI FAMILY TRUST BY DEED FROM JOANN S. RINALDI, A SINGLE PERSON DATED 06/18/2008 RECORDED 08/21/2008 IN DEED BOOK 2008-1 PAGE 240422.

BEING KNOWN AS 122 Jefferson Street, Wind Gap, PA 18091.

TAX PARCEL NUMBER: E8SW4D-7-2B.

THEREON BEING ERECTED a single ranch style dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Joann S. Rinaldi.

MARK J. UDREN, ESQUIRE

No. 64
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-04539

ALL THAT CERTAIN UNIT, designated as Unit 2, being a Unit in the

Linden Townes Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Condominium of Linden Townes Condominium dated April 15, 1989 and recorded November 1, 1989, in Northampton County Miscellaneous Book Volume 361, Page 129; and as further described in the Plans of the Linden Townes Condominium dated June 27, 1988 and last revised on November 15, 1989 and recorded on November 20, 1989 in Northampton County Plan Book Volume 89, Page 393.

TOGETHER with a 7.143 percent undivided interest of in and to the common elements as set forth in the aforesaid Declaration of Condominium and Amendment thereto.

BEING known as Linden Townes Condominium, Unit No. 2, 2781 Madison Avenue, Bethlehem, Pennsylvania.

BEING NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NUMBER: N 6NE3A-3-26M

BEING THE SAME PREMISES which Mark P. Wagner, by Deed dated March 22, 1994 and recorded on May 2, 1994 in the Office of the Recorder of Deeds in and for the County of Northampton at Deed Book Volume 1994-6, Page 16588, granted and conveyed unto Stephen F. Selvaggio and Teresa A. Selvaggio, Husband and Wife, the within Mortgageors, their heirs and assigns.

ALSO

ALL THAT CERTAIN UNIT, designated as Unit 3, being a Unit in the Linden Townes Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Condominium of Linden Townes Condominium dated

April 15, 1989 and recorded November 1, 1989, in Northampton County Miscellaneous Book Volume 361, Page 129; and as further described in the Plans of the Linden Townes Condominium dated June 27, 1988 and last revised on November 15, 1989 and recorded on November 20, 1989 in Northampton County Plan Book Volume 89, Page 393.

TOGETHER with a 7.143 percent undivided interest of in and to the common elements as set forth in the aforesaid Declaration of Condominium and Amendment thereto.

BEING known as Linden Townes Condominium, Unit No. 3, 2777 Madison Avenue, Bethlehem, Pennsylvania.

BEING NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NUMBER: N6NE3A-3-26L.

BEING THE SAME PREMISES which Mark P. Wagner, by Deed dated March 22, 1994 and recorded on May 2, 1994 in the Office of the Recorder of Deeds in and for the County of Northampton at Deed Book Volume 1994-6, Page 16593, granted and conveyed unto Stephen F. Selvaggio and Teresa A. Selvaggio, Husband and Wife, the within Mortgageors, their heirs and assigns.

ALSO

ALL THAT CERTAIN UNIT, designated as Unit J, being a Unit in the Linden Townes Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Condominium of Linden Townes Condominium dated April 15, 1989 and recorded November 1, 1989, in Northampton County Miscellaneous Book Volume 361, Page 129; and as further described in the Plans of the Linden Townes Condominium dated June 27, 1988 and

last revised on November 15, 1989 and recorded on November 20, 1989 in Northampton County Plan Book Volume 89, Page 393.

TOGETHER with a 7.143 percent undivided interest of in and to the common elements as set forth in the aforesaid Declaration of Condominium and Amendment thereto.

BEING known as Linden Townes Condominium, Unit No. J, 2769 Madison Avenue, Bethlehem, Pennsylvania.

BEING NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NUMBER: N 6NE3A-3-26J

BEING THE SAME PREMISES which Mark P. Wagner, by Deed dated March 22, 1994 and recorded on May 2, 1994 in the Office of the Recorder of Deeds in and for the County of Northampton at Deed Book Volume 1994-6, Page 16596 granted and conveyed unto Stephen F. Selvaggio and Teresa A. Selvaggio, Husband and Wife, the within Mortgageors, their heirs and assigns.

ALSO

ALL THAT CERTAIN UNIT, designated as Unit A, being a Unit in the Linden Townes Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Condominium of Linden Townes Condominium dated April 15, 1989 and recorded November 1, 1989, in Northampton County Miscellaneous Book Volume 361, Page 129; and as further described in the Plans of the Linden Townes Condominium dated June 27, 1988 and last revised on November 15, 1989 and recorded on November 20, 1989 in Northampton County Plan Book Volume 89, Page 393.

TOGETHER with a 7.143 percent undivided interest of in and to the

common elements as set forth in the aforesaid Declaration of Condominium and Amendment thereto.

BEING known as Linden Townes Condominium, Unit No. A, 2733 Madison Avenue, Bethlehem, Pennsylvania.

BEING NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NUMBER: N 6NE3A-3-26A

BEING THE SAME PREMISES which Mark P. Wagner, by Deed dated March 22, 1994 and recorded on May 2, 1994 in the Office of the Recorder of Deeds in and for the County of Northampton at Deed Book Volume 1994-6, Page 16610, granted and conveyed unto Stephen F. Selvaggio and Teresa A. Selvaggio, Husband and Wife, the within Mortgageors, their heirs and assigns.

BEING KNOWN AS 2733, 2769, 2777, and 2781 Madison Avenue, Bethlehem, PA.

TAX PARCEL NUMBER: N6NE3A 3 26A, N6NE3A 3 26J, N6NE3A 3 26L and N6NE3A 3 26M.

THEREON BEING ERECTED on N6NE3A 3 26A 0204 a two-story row home style dwelling with attached one-car garage with aluminum siding exterior and shingle roof, on N6NE3A 3 26J 0204 a two-story row home style dwelling with attached one-car garage with aluminum siding exterior and shingle roof, on N6NE3A 3 26L 0204 a two-story row home style dwelling with attached one-car garage with aluminum siding exterior and shingle roof, on N6NE3A 3 26M 0204 a two-story row home style dwelling with attached one-car garage with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Stephen F. Selvaggio and Teresa A. Selvaggio.

THOMAS A. CAPEHART, ESQUIRE

No. 65
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-13320

ALL THAT CERTAIN lot or piece of ground together with the brick dwelling located on the North side of Jackson Street, between Warren and 11th Streets, in the Eighth Ward of the City of Easton, Northampton County, Pennsylvania, known as #1051 Jackson Street, bounded and described as follows:

BEGINNING at a point in the north building line of Jackson Street, the said point being distant One Hundred Fourteen and Twenty-nine One-Hundredths (114.29) feet from the Northwest corner of Warren and Jackson Streets, measured Westwardly along the North building line of Jackson Street, the said point being also in line with the center of three (3) foot alley way running under the properties known as #1049 and #1051 Jackson Street; thence extending Westwardly along the North building line of Jackson Street for a distance of Fifteen and Seventy-one One-hundredths (15.71) feet and extending of that width in depth Northwardly between parallel line at right angles to Jackson Street for a distance of One Hundred Forty (140) feet to Juniper Street.

Title to said premises is vested in Elizabeth Ortiz by deed from ROBERT R. MARTIN AND PHILLIP MARTIN, CO-EXECUTORS OF THE LAST WILL AND TESTAMENT OF WILLIAM E. MARTIN, JR. dated September 30, 1999 and recorded October 6, 1999 in Deed Book 1999-1, Page 151890.

BEING KNOWN AS 1051 Jackson Street, Easton, PA 18042.

TAX PARCEL NUMBER: L9NE4D 4 0310.

THEREON BEING ERECTED a two-story row home style dwelling with brick exterior and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of Elizabeth Ortiz.

MARGARET GAIRO, ESQUIRE

No. 66
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-10232

ALL THAT CERTAIN messuage, tenement, lot or piece of ground, now known as 932 Washington Avenue, situated in the Borough of Northampton, County of Northampton, and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a stake on Washington Avenue and on lot now or late of William H. Miller, South sixty-four degrees (64°) West one hundred fifty (150) feet to a stake on an alley twenty (20) feet wide; thence along said alley North twenty-five (25°) degrees West fifty (50) feet to lot now or late of John Simco; from thence North sixty-five degrees (65°) East one hundred fifty (150) feet to a stake on said Washington Avenue; from thence South twenty-five degrees (25°) East fifty (50) feet to the point or place of beginning.

Containing 7,500 square feet.

BEING KNOWN AS 932 Washington Avenue, Northampton, PA.

TAX PARCEL NUMBER: M4NW2C 3 9.

THEREON BEING ERECTED a two-story single dwelling with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Wendy L. Sovorsky.

MICHAEL R. NESFEDER,
 ESQUIRE

No. 68
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-07400

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

situated on the east side of Ridge Street, in the City of Bethlehem, formerly the Borough of South Bethlehem, County of Northampton, and State of Pennsylvania, bounded and described, as follows, to wit:

BEGINNING at a point eighty (80) feet northwardly from the northeast corner of Seventh and Ridge Streets, thence northwardly a frontage of forty (40) feet to Lot No. 174, thence eastwardly along Lot No. 174, one hundred forty (140) feet to a twenty feet wide alley, thence southwardly along Lot No. 178, one hundred forty (140) feet to a point the place of beginning.

BOUNDED on the north by Lot No. 174, on the south by Lot No. 178, on the east by a twenty feet wide alley and on the west by Ridge Street.

BEING LOT No. 176, according to a plan of L.S. Jacoby, C.E., called "Plan of Lots Near South Bethlehem, Northampton County, PA", H.A. Doster, Trustee, 1887.

TITLE TO SAID PREMISES IS VESTED IN Donald D. Dancho, single man, by Deed from Donald D. Dancho, single man, and Kathleen M. Dancho N/K/A Kathleen M. Reilly, single woman, dated 02/25/1993, recorded 03/02/1993 in Book 889, Page 618.

The said Donald D. Dancho died on 1/28/2009, and upon information and belief, his heirs or devisees, and personal representative, are unknown.

BEING KNOWN AS 651 Ridge Street, Bethlehem, PA 18015-3511.

TAX PARCEL NUMBER: P6SE2D 18 14 0204.

THEREON BEING ERECTED a two-story single dwelling with stucco exterior and slate roof; detached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Donald D. Dancho, Deceased.

DANIEL G. SCHMIEG, ESQUIRE

No. 69**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-06618**

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, hereditaments and appurtenances, situate in the Township of Upper Mount Bethel, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pipe it being South 30 degrees West 265.00 feet, more or less from the corner of land of Paul H. Hinton and now or late Andrew Biller, thence along land of Paul H. Hinton South 30 degrees West (passing over an iron pipe 288.88 feet) 313.88 feet to a railroad spike in the center line of Legislative Route 48031 leading from Johnsonville to Centerville, thence in the center line of said road North 41 degrees 04 minutes 01 seconds West 143.07 feet to a railroad spike, thence along land of Paul H. Hinton the following two courses and distances North 20 degrees 55 minutes 38 seconds East (passing an iron pipe 25.00 feet) 271.50 feet to an iron pipe, thence South 59 degrees 47 minutes East 1.78.14 feet to an iron pipe the place of BEGINNING.

BEING the same premises which Arlene Marie Flaherty did grant and convey upon Arlene Flaherty and Matthew S. Smith, by Deed dated October 20, 1997, and recorded in

the Office of the Recorder of Deeds for Northampton County, at Easton, Pennsylvania, on December 19, 1997, at Book Volume 1997-1, page 141973, Grantors herein.

BEING KNOWN AS 1063 Orchard Road, Bangor, PA.

TAX PARCEL NUMBER: D10 8 5A.

THEREON BEING ERECTED a single ranch style dwelling with vinyl siding exterior and shingle roof; detached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Terence H. Chaykowsky and Angela Chaykowsky.

STEVEN N. GOUDSOUZIAN,
ESQUIRE

No. 71

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-09848**

ALL THAT CERTAIN lot, parcel, or piece of land situate in the Township of Forks, County of Northampton and Commonwealth of Pennsylvania, known as Lot No. 37, of the Estates at Steeplechase North Subdivision," dated August 8, 2002, last revised July 14, 2003, prepared by Environmental Design & Engineering, filed in the Northampton County Recorder of Deeds Office in Plan Book Volume 2003-5, Pages 363 to 367, as amended by the Amendment to Recorded Plan, filed in the Northampton County Recorder of Deeds Office in Record Book Volume 2004-1, Page 422537.

BEING THE SAME PREMISES which Nic Zawarski and Sons Builders, Inc., a Pennsylvania Corporation, by Deed dated September 28, 2007 and recorded in the Recorder of Deeds Office, in and for the County of Northampton, at Easton, Pennsylvania, in Record Book Vol. 2007-1, Page 359386, did grant and convey unto Pamela M. Turner.

BEING KNOWN AS 4548 Shadowstone Drive, Easton, PA.

TAX PARCEL NUMBER: J9 1 6-37.

THEREON BEING ERECTED a two story single dwelling with attached two-car garage with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Pamela M. Turner.

JAMES V. FARERI, ESQUIRE

No. 72

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-06491**

ALL THAT CERTAIN messuage, tenement and lot or piece of ground situate on the southerly side of Oak Street, known as 210 Oak Street (formerly known as 8 Oak Street), in the Borough of Nazareth, County of Northampton and Commonwealth of Pennsylvania as shown on a plan prepared by Kenneth R. Hahn, R.S. on Drawing No. 83-183, dated June 14, 1983, bounded and described as follows:

BEGINNING at a point on the southerly side of Oak Street, said point being located 147 feet easterly of the east curb on South Whitfield Street;

THENCE extending along the southerly side of Oak Street, South 80 degrees 00 minutes East, 79 feet to a point;

THENCE extending along the westerly property line of now or late Francis Deutsch as recorded in Deed Book Volume 470, Page 384; South 10 degrees 00 minutes West, 80.00 feet to a point;

THENCE extending along the northerly property lines of now or late Ed Dulac and Mary Pierzga as recorded in Deed Book Volume C84, Page 234 and 248, Page 572, North

80 degrees 00 minutes West, 79.0 feet to a point;

THENCE extending along the easterly property line of now or late of Emma Yany and Pepino Martino as recorded in Deed Book Volume D77, Page 97 and 336, Page 253, North 10 degrees 00 minutes East, 80.00 feet to the place of BEGINNING.

CONTAINING: 6,320 square feet.

The above description of property is a result of a registered survey prepared by Kenneth R. Hahn, Registered Surveyor, which survey is dated June 17, 1983.

BEING the same premises which William J. Buskirk, Jr. and Renee B. Buskirk, husband and wife, by Deed dated May 24, 2000 and recorded May 30, 2000, in the Office of the Recorder of Deeds in and for Northampton County in Deed Book 2000-1, Page 64000 conveyed to Valeria M. Bellis.

BEING KNOWN AS 210 Oak Street a/k/a 8 Oak Street, Nazareth, PA 18064.

TAX PARCEL NUMBER: K7NE2B-9-2.

THEREON BEING ERECTED a two-story single dwelling with asbestos siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Valeria M. Bellis.

RICHARD B. SOMACH, ESQUIRE

No. 73

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-04485**

ALL THAT CERTAIN lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as follows:

Situate along the southerly side of Marion Street, between Lincoln and Carlisle Streets, in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, known as 932 Marion Street according to present city numbering, and also being the westerly portion of Lot 16 and 16A and the easterly portion of Lot 17 and 17A, Block 5500, on map or plan of the Zinzendorf Realty Corporation, at Bethlehem, Pa. February 9, 1927, recorded in the Office for the Recording of Deeds in and for Northampton County in Map Book 9, Page 90, bounded and described as follows:

BEGINNING at an iron pipe on the southerly side of Marion Street distant one hundred sixty-four and fifty hundredths feet westwardly from the intersection of the southerly side of Marion Street with the westerly side of Lincoln Street; thence extending westwardly along the southerly side of Marion Street along a curve curving to the left having a radius of eight hundred sixty-eight and eighty-eight hundredths (feet a distance of fifty-four and fifty hundredths (54.50) feet to an iron pipe; thence extending South 20 degrees 36' West through Lot 17 and 17A on said plan a distance of ninety-nine and seven hundredths (99.07) feet to an iron pipe on the northerly side of Harry Street; thence extending eastwardly along the northerly side of Harry along a curve curving to the right a distance of forty-nine (49) feet to an iron pipe; thence extending North 23 degrees 50' East through Lot 16 and 16A on said plan a distance of ninety-six and thirty-seven hundredths (96.37) feet.

Title to said premises is vested in Martin T. Rape by deed from HONORE ZETTLEMOYER dated July 29, 2005 and recorded September 1, 2005 in Deed Book 2005-1, Page 337517.

BEING KNOWN AS 932 Marion Street, Bethlehem, PA 18017.

TAX PARCEL NUMBER:
N7SW1D-5-2.

THEREON BEING ERECTED a two-story single cape cod style dwelling with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Martin T. Rape.

MARGARET GAIRO, ESQUIRE

No. 74

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-00930**

ALL THOSE 4 CERTAIN lots situate in the Township of Bethlehem, County of Northampton and State of Pennsylvania, known as Lots Nos. 844, 845, 846 and 847 on plan of lots of Bethlehem Annex Gardens, said plan being recorded and remains of file in the Office of Recorder in Map Book ____ Page ____, etc., Lots Nos. 844 and 845 consist of one grant and Nos. 846 and 847 consist of a second grant.

TRACT NUMBER 1:

BEGINNING at a point 40 feet, more or less, from the northwesterly corner of the intersection of John Street and Carter Republic Road, measured along the northerly line of said Carter Republic Road, said point being the southeasterly corner of Lot No. 845; thence northerly along the dividing line of Lots Nos. 845 and 846 a distance of 110 feet, more or less, to an alley; thence westerly along the southerly line of said alley a distance of 40 feet, more or less, to the north-easterly corner of Lot No. 843; thence southerly along the dividing lines of Lots 843 and 844 a distance of 110 feet, more or less, to Carter Republic Road; thence easterly along the north-

erly line of said Carter Republic Road a distance of 40 feet, more or less, to point of beginning.

TRACT NUMBER 2:

BEGINNING at the northwesterly corner of the intersection of John Street and Carter Republic Road, said point being the southeasterly corner of said Lot No. 843; thence northerly along the westerly line of John Street a distance of 110 feet, more or less, to an alley; thence westerly along the southerly side of said alley a distance of 40 feet, more or less, to the north-easterly corner of Lot No. 845; thence southerly along the dividing line of Lots Nos. 845 and 846 a distance of 110 feet, more or less, to Carter Republic Road; thence easterly along the northerly side of said Carter Republic Road a distance of 40 feet, more or less, to point of BEGINNING.

BEING the same premises which Irving M. Noble, by deed dated 11-06-06 and recorded 11-15-06 in the Office of the Recorder of Deeds in and for the County of Northampton in Record Book 2006-1 Page 471355, granted and conveyed unto Irving M. Noble, as to an undivided 50% interest; Abel A. Juhasz, as to an undivided 25% interest and Darlene A. Juhasz, as to an undivided 25% interest.

BEING KNOWN AS 3447 Carter Republic Road, Bethlehem, PA.

TAX PARCEL NUMBER: N7NE1-1-3-0205.

THEREON BEING ERECTED a two and a half story single dwelling with vinyl siding exterior and shingle roof; detached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Irving M. Noble and Faith Noble and Abel A. Juhasz and Darlene A. Juhasz.

ANTHONY R. DISTASIO, ESQUIRE

No. 75
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-09397

ALL THAT CERTAIN piece, parcel, or tract of land situate in the Borough of Stockertown, County of Northampton, and the Commonwealth of Pennsylvania, shown as Lot #60 on the final plan of Long Meadows, Phase IV as recorded in Map Book Volume 2002-5, Pages 126, 127 in the Office of the Recorder of Deeds for Northampton County at Easton, Pennsylvania, and being further bounded and described as follows, to wit:

BEGINNING at a point on the right of way line of the knuckle cul-de-sac of Patriot Lane at a corner of Lot #59 of Long Meadows;

THENCE along said right-of-line of the knuckle cul-de-sac of Patriot Lane along the arc of a curve deflecting to the left having a radius of 50.00 feet and a central angle of 70 degrees, 03 minutes, 50 seconds for an arc length of 69.00 feet (chord: South 06 degrees, 01 minutes, 33 seconds East 63.65 feet) to a point at the corner of Lot #62 of Long Meadows.

THENCE along said lands of Lot #62 of Long Meadows South 44 degrees, 26 minutes, 32 seconds West 127.22 feet to a point on a line of lands now or late of Jason R. and Jamie A. Thomas;

THENCE along said lands now or late of Jason R. and Jamie A. Thomas North 77 degrees, 44 minutes, 15 seconds West 43.89 feet to a point on a line of lands now or late of Long Enterprises, Inc.;

THENCE along said lands now or late of Long Enterprises, Inc. North 04 degrees, 26 minutes, 53 seconds East 153.35 feet to a point at a corner of Lot #59 of Long Meadows;

THENCE along said lands of Lot #59 of Long Meadows South 85 de-

grees, 55 minutes, 32 seconds East 113.69 feet to a point, the place of the BEGINNING.

BEING the same premises which Ellen E. Long, Robert J. Long and Douglas H. Long, general partners, trading as 4-L Housing Associates, a general partnership, by Deed dated 11-15-02 and recorded 11-18-02 in the Office of the Recorder of Deeds in and for the County of Northampton in Record Book 2002-1 Page 321214, granted and conveyed unto Michael Martine and Dina Martine, husband and wife.

BEING KNOWN AS 212 Patriot Lane, Stockertown, PA.

TAX PARCEL NUMBER: J8 8 10-46.

THEREON BEING ERECTED a two-story single dwelling with attached two car garage with aluminum siding and brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Michael Martine and Dina Martine.

ANTHONY R. DISTASIO, ESQUIRE

No. 76
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-14549

ALL THAT CERTAIN lot or parcel of land with one story frame dwelling unit erected thereon known as 8 Babbling Brook Road situate in Palmer Township, Northampton County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the west side of Babbling Brook Road, said point being the following two (2) courses and distances from the intersection of the east property line of Babbling Brook Road with the south property line of Brookwood Road (both lines extended to intersection) (1) South 11°30' East 110.00 feet and

(2) South 78°30' West 50.00 feet; thence along the west side of Babbling Brook Road around a curve to the right with a radius of 117.92 feet, an arc length of 206.15 feet to an iron pin set; thence along the west side of Babbling Brook Road South 88°40' West 28.93 feet to an iron pin set; thence along line of land now or late of S. James LaBarba North 1°20' West 112.73 feet to an iron pin set; thence along line of land now or late of C.J. Jones North 78°30' East 147.31 feet to an iron pin set, the place of beginning.

IT BEING the same premises which Richard W. Bender and Joann Bender, husband and wife, by Deed dated September 26, 1991, and recorded in the Office of the Recorder of Deeds in and for Northampton County September 27, 1991, in Book 843, Page 000115, granted and conveyed unto Joann Benger, a/k/a Joann Mann, in fee.

TITLE TO SAID PREMISES IS VESTED IN Pedro J. Rivera, married, and Carmen Rivera, his Wife, as tenants by the entirety by Deed from Joann Bender, a/k/a Joann Mann dated 10/24/03 recorded 10/29/03 in Deed Book 2003-1 Page 453737.

BEING KNOWN AS 8 Babbling Brook Drive, Easton, PA 18045.

TAX PARCEL NUMBER: J8SE2-4-1C.

THEREON BEING ERECTED a single ranch style dwelling with attached one-car garage with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Pedro J. Rivera.

MARK J. UDREN, ESQUIRE

No. 77

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-05289**

ALL THAT CERTAIN lot, piece or parcel of land situate, lying and being

in the Township of Upper Mount Bethel, County of Northampton and State of Pennsylvania, more particularly described as Lot 24, major subdivision of Crystal Terrace Estates, recorded in the Office for the Recording of Deeds, Northampton County, Pennsylvania, in Plot Book Volume 2003-5, Page 100.

BEING part of the same premises which Hummer Land Development Corporation, by indenture bearing date the 6th day of February, 2001, and recorded in the Office for the Recording of Deeds in and for the County of Northampton, at Easton, Pennsylvania on the 12th day of February, 2001 in Record Book Volume 2001-1, Page 020540, granted and conveyed unto LTS Development Inc., in fee.

TOGETHER with all rights and privileges and under and subject to the covenants, exceptions, conditions, reservations and restrictions as of record.

TITLE TO SAID PREMISES IS VESTED IN Chantal Kadhi-Smith, a single individual by Deed from LTS Development, Inc., a Pennsylvania Corporation dated 11/26/03 recorded 12/3/03 in Deed Book 2003-1 Page 501202.

BEING KNOWN AS 15 Crystal Terrace, Mount Bethel, PA 18343.

TAX PARCEL NUMBER: D11-11-6-24.

THEREON BEING ERECTED a two-story single dwelling with attached two-car garage with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Chantal Kadhi-Smith.

MARK J. UDREN, ESQUIRE

No. 78

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-05737**

ALL THAT CERTAIN messuage and tract of land situate and lying in

the Township of Williams, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a chestnut oak in a corner of land of the late Mahlon Long, and of land of the late Isaac Koplin, deceased; thence by land late of said Mahlon Long, North fifty (50) degrees East twenty-five and eight-tenths (25.8) perches; thence South one (1) degree West eight (8) perches; thence by land now or late of the estate of James Bougher, deceased, North fifty-five (55) degrees East forty and five-tenths (40.5) perches an apple tree; thence by land now or late of Mary Kichline South thirty-five (35) degrees East fifty-nine and five-tenths (459.5) perches to a corner of lot of land to the hereinafter fully described, being the boundary line dividing Northampton and Bucks Counties; thence along said boundary line South sixty-four (64) degrees West fifty-nine (59) perches; thence by land now or late of the said Isaac Koplin's estate North twenty-five (25) degrees West thirty-two and five-tenths (32.5) perches; thence by the same South forty-seven (47) degrees West five and five-tenths (5.5) perches; thence by the same North thirty-two (32) degrees West twenty-four (24) perches to the place of beginning.

CONTAINING twenty-one (21) acres and seven (7) perches of land, be the same more or less.

LESS AND EXCEPTING, therefrom and thereout, the above land and premises, a tract of land consisting of four and four one-hundredths (4.04) acres (the area being incorrectly described numerically as four and four-tenths [4.4] acres in the prior deed of conveyance to Arthur Ivenz, recorded in Deed Book F, Volume 71, Page 507), heretofore conveyed by Peter Zani and wife Mary

Zani to Ralph B. Kachline, which deed of conveyance was recorded in the office of the Recorder of Deeds in and for the County of Northampton, State of Pennsylvania, in Deed Book B, Volume 69, Pages 21, etc., on May 3, 1938, which, by referring thereto, will more specifically appear.

AND, LESS AND EXCEPTING, therefrom and thereout, another tract consisting of two and one-half (2 1/2) acres heretofore conveyed by Peter Zani and wife Mary Zani to Kenneth E. McBride and wife, by deed of conveyance which was duly recorded in the office of the Recorder of Deeds in and for the County of Northampton, State of Pennsylvania, on May 19, 1938, in Deed Book B, Volume 69, Pages 36, etc., a more specific description thereof may be readily ascertained by referring thereto.

IT BEING THE SAME PREMISES which Arthur Paul Ivenz and Polly Jane Ivenz, his wife, by their Indenture bearing date the nineteenth day of August, A.D. 2002, for the consideration therein mentioned, granted and conveyed unto the said Michael Arthur Ivenz and Patty Jo Ivenz, his wife, and to their heirs and assigns, forever; as in and by the said in part recited Indenture recorded in the Office of the Recorder of Deeds in and for Northampton County, at Easton, Pennsylvania, in Record Book Volume 2002-1, Page 223484, etc., relation being thereunto had, more fully and at large appears.

BEING KNOWN AS 370 County Line Road East, Easton, PA.

TAX PARCEL NUMBER: P9-13-14.

THEREON BEING ERECTED a three-story single dwelling with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of

Michael Arthur Ivenz and Patty Jo Ivenz.

ALFRED S. PIERCE, ESQUIRE

No. 79

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-03493**

All that certain lot, parcel or piece of land situate in the Township of Plainfield, County of Northampton and Commonwealth of Pennsylvania, being Lot No. 7, Sierra Lane, Edge-wood Acres, bounded and described as follows, to wit:

Beginning at a point on the South-west side of Sierra Lane; thence along Lot No. 8 South 52 degrees 57 minutes 47 seconds West, 167.00 feet to a point; thence along Lot No. 4 South 37 degrees 02 minutes 13 seconds East, 90.00 feet to a point; thence along Lot No. 6 North 52 degrees 57 minutes 47 seconds East, 167.00 feet to a point; thence along Sierra Lane North 37 degrees 02 minutes 13 seconds West 90.00 feet to the point of beginning.

Said Lot to contain 15,030 square feet or .345 of an acre.

BEING THE SAME PREMISES which David J. Betz, by Deed dated February 1, 2005 and recorded March 4, 2005 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 2005-1, Page 79643, granted and conveyed unto David J. Betz and Lisa S. Betz.

BEING KNOWN AS 1595 Sierra Lane, Pen Argyl, PA 18072.

TAX PARCEL NUMBER: F8-2-9-0626.

THEREON BEING ERECTED a two-story single bi-level style dwelling with attached two-car garage with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of David J. Betz and Lisa S. Betz.

GREGORY JAVARDIAN, ESQUIRE

No. 80

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-05195**

ALL THAT CERTAIN lot or piece of ground situate in the Borough of Wilson, County of Northampton and Commonwealth of Pennsylvania, being Lot No. 78 on the Plan of Foxcroft, prepared by Hanover Engineering Associates, Incorporated dated July 14, 1986 and recorded in the Office of the Recorder of Deeds for Northampton County, in Plan Book 87, page 82, and being more particularly described as follows:

BEGINNING at a point in the southerly right-of-way line of Fourth Street, said point being a common corner of Lots Nos. 78 and 79; thence along Lot No. 79 and through the centerline of the party wall of the residences constructed on Lots Nos. 78 and 79, South 10 degrees 30 minutes 15 seconds East, a distance of 77.02 feet to a point in the northerly line of an unopened alley a common corner of Lots Nos. 78 and 79 as shown on said plan; thence along the northerly line of the unopened alley, South 79 degrees 29 minutes 45 seconds West, a distance of 36.25 feet to a point in the easterly right-of-way line of South 23rd Street; thence along the easterly right-of-way line of South 23rd Street North 09 degrees 55 minutes 30 seconds West, a distance of 67.13 feet to a point in the easterly right-of-way line of South 23rd Street; thence by a curve to the right having a radius of 10 feet an arc length of 1561 feet to a point in the southerly right-of-way line of Fourth Street; thence along the southerly right-of-way line of Fourth Street, North 79 degrees 29 minutes 45 seconds East, a distance of 25.57 feet to the place of Beginning.

TITLE TO SAID PREMISES IS VESTED IN ANDERSON FONSECA, AS SOLE OWNER BY DEED FROM MARY LOUISE ONORATA DATED 02/24/2006 RECORDED 03/06/2006 IN DEED BOOK 2006-1 PAGE 90143.

BEING KNOWN AS 2244 4th Street, Easton, PA 18042.

TAX PARCEL NUMBER: M9NW2A-14-6.

THEREON BEING ERECTED a three-story row home style dwelling with attached one-car garage with vinyl siding and brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Anderson Fonseca.

MARK J. UDREN, ESQUIRE

No. 81
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-06308

ALL THAT CERTAIN messuage or tenement and lot or piece of ground situate on the west side of Nottingham Road in the Fourteenth Ward of the City of Bethlehem, Northampton County, Pennsylvania, known as 2423 Nottingham Road, according to present city numbering (designated as Lot 4 Block A on Plan of Northdale Manor is recorded in Map Book 13, page 65), bounded and described as follows:

BEGINNING at a point in the west street line of Nottingham Road, said point being south 39° 14' 15" east 86.22 feet from the intersection of the south street line of the North Boulevard and the west street line Nottingham Road, thence in and along said west street line south 39° 14' 50" east 70 feet to a point, thence along land now or late of Merritt R. Pharo north 39° 14' 50" west 70 feet to a point, thence along the south line of Lot 5

north 50° 45' 10" east 125 feet to a point in the west street line of Nottingham Road, the place of beginning.

BOUNDED on the north by Lot 5, Block A, Section 3, on the east by Nottingham Road, on the south by Lot 3, Block A, Section 3, and on the west by lands now or late of Merritt R. Pharo.

BEING THE SAME PREMISES which Jennifer C. Danyi, by Deed dated January 16, 1988 and recorded January 24, 1988 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 762, Page 678, granted and conveyed unto Jennifer C. Danyi.

BEING KNOWN AS 2423 Nottingham Road, Bethlehem, PA 18017.

TAX PARCEL NUMBER: N7NW2-32-4.

THEREON BEING ERECTED a two-story single dwelling with attached one-car garage with aluminum siding, brick and wood shingle exterior and shingle roof; in-ground pool.

SEIZED AND TAKEN into execution of the writ as the property of Ronald Danyi and Jennifer C. Danyi.

GREGORY JAVARDIAN, ESQUIRE

No. 82
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-06845

ALL THAT CERTAIN lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Hellertown, County of Northampton State of Pennsylvania:

ALL THAT CERTAIN lot or piece of ground with improvements, situate, lying and being in the Borough of Hellertown, formerly Township of Lower Saucon, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at the southeast corner of Lot No. 58, on the general plan of lots laid out in the northern division in addition to Hellertown; thence along Center Street, South twenty-one degrees West, one hundred eighty (180) feet to a corner on Lot No. 62; thence along Lot No. 62 North sixty-nine degrees West, one hundred fourteen (114) feet to a (12) feet wide alley; thence North twenty-one degrees East one hundred eighty (180) feet to a corner, on Lot No. 58; thence along said Lot No. 58 South sixty-nine degrees East one hundred and fourteen (114) feet, to the place of BEGINNING.

LESS AND EXCEPTING all that certain tract of land situate in the Borough of Hellertown, formerly Township of Lower Saucon, County of Northampton, State of Pennsylvania, bounded and described as follows, to wit;

BEGINNING at a point in the west line of Jefferson Street, said point being also the northeast corner of Lot No. 62; thence extending northwardly along the west side of Jefferson Street a distance of ninety (90) feet to a point, said point being the middle of Lot No. 60 fronting on Jefferson Street; thence extending westwardly of this same width between parallel lines at right angles to Jefferson Street a distance of one hundred fourteen (114) feet to a twelve (12) feet wide alley in the rear.

BOUNDED on the north by northern one-half portion of Lot No. 60; on the east by Jefferson Street; on the south by Lot No. 62; and on the west by the aforesaid twelve (12) feet wide alley.

BEING all of Lot No. 61 and the southern one-half portion of Lot No. 60 according to plan of lots laid out in the northern division in addition to Hellertown.

The name "Center Street" as it appears in the original Deed recorded in Deed Book Volume B 79, Page 287 is the same street now known as Jefferson Street.

BEING the same premises which Francisco F. Suarez and Lillian E. Suarez, by Deed from Constance L. Walker, Executrix of the estate of Samuel J. Lawrence, dated July 1, 1975, in the Northampton County Clerk/Register's Office in Deed Book 518, Page 400.

TITLE TO SAID PREMISES IS VESTED IN Ghislaine Laurent by Deed from Francisco F. Suarez, by his Power of Attorney Sylvia E. Jischke and Lillian E. Suarez dated 09/29/2005 recorded 10/03/2005 in Deed Book 2005-1 Page 383701.

BEING KNOWN AS 1398 Jefferson Street, Hellertown, PA 18055.

TAX PARCEL NUMBER: Q7NW3A-7-3.

THEREON BEING ERECTED a two-story single dwelling with attached one-car garage with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Ghislaine Laurent.

MARK J. UDREN, ESQUIRE

No. 83
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-08696

TRACT 1

All those 4 certain lots or pieces of land lying in the city of Bethlehem, County of Northampton and State of Pennsylvania, and known on a plan of lots of Bethlehem view tract (see book of Maps No. 7 Page 31) as lots nos. 1125, 1126, 1127, and 1128, bounded and described as follows, to wit:

BEGINNING at a point on Clermont Street, the Southeast corner of lot no. 1125, thence extending north-

wardly along the west side of Clermont Street a distance of eighty (80) feet to Glenmere Street, thence extending westwardly along the southern side of Glenmere Street a distance of one hundred (100) feet to Lot No. 1075; thence extending southwardly, along the east side of lots nos. 1075, 1076, 1077 to 1078 a distance of eighty (80) feet to lot no. 1124, thence extending eastwardly along the northern line of lot no. 1124 a distance of one hundred (100) feet to a point the place of beginning.

Bounded on the north by Glenmere Street, on the east by Clermont Street, on the south by lot no. 1124, and on the west by lots nos. 1075, 1076, 1077 and 1078.

Subject, however, to the restrictions that no building shall be erected upon any said lots at a cost of less than \$3,000.00, that no buildings but dwellings shall be erected; and that no building shall be erected nearer than ten (10) feet of the front line of said lots.

TRACT 2

All those certain three lots or parcels of ground situate on the westerly side of Clermont Street, (formerly West Street) between Stanhope Street (formerly Fairview Street) and Glenmere (formerly Centre) Street, in the City of Bethlehem, County of Northampton, and State of Pennsylvania, and being lots nos. 1122, 1123, and 1124 on the plan of Bethlehem view, entitled "Plan of lots at Bethlehem view, formerly the Linden Farm, property of Robert P. Brown, Wye Joe Brown, and Myrtle Brown Lease, Bethlehem Township, Northampton County, Pennsylvania, March 31, 1918, scale 1 inch equals 100 feet, Robert P. Howell, Del., revised June 25, 1918, November 1919" entered of records in the Office of the Recorder of Deeds, etc., at Easton, in and for

the County of Northampton, in Book of Maps no. -Page-, bounded and described as follows, to wit:

BEGINNING at a point on the westerly side of Clermont Street, distant two hundred twenty (220') feet north from the northwest corner of Stanhope and Clermont Street; thence extending northwardly along the westerly side of Clermont Street a distance of sixty (60) feet in front, and extending westwardly of that width between parallel lines and parallel to the northerly side of Stanhope Street, a distance of one hundred (100') feet in depth.

Bounded on the north by lot no. 1125, on the west by lots nos. 1079, 1080 and 1081, and on the south by lot no. 1121 on said plan, and on the east by aforesaid Clermont Street.

TITLE TO SAID PREMISES IS VESTED IN STEVEN J., INC., A PENNSYLVANIA CORPORATION BY DEED FROM DAVID APIOLAZA AND GLORYMAR HERNANDEZ, HUSBAND AND WIFE DATED 09/22/2007 RECORDED 11/19/2007 IN DEED BOOK 2007-1 PAGE.

BEING KNOWN AS 2025 Clermont Street, Bethlehem, PA 18018.

TAX PARCEL NUMBER: N7NW4C-14-2.

THEREON BEING ERECTED a two-story single dwelling with stucco exterior and shingle roof; detached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Steven J., Inc. and David Apiolaza a/k/a David E. Apiolaza and Glorymar Hernandez.

MARK J. UDREN, ESQUIRE

No. 84
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-08580

All that certain lot or piece of ground situate in the development

known as "Penn's Chase" in the Township of Allen, Northampton County, Pennsylvania, designated as Lot No. 133 on the Plan of Penn's Chase, Phases 1, 2, and 3 as said Plan is recorded in the Recorder of Deeds Office in and for Northampton County, Pennsylvania in Plan Book Volume 2001-1 Pages 241539 et seq.

TITLE TO SAID PREMISES IS VESTED IN KYLE P. KNECHT AND CHRISTINE S. KNECHT, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY BY DEED FROM ATLANTIC EQUITIES, INC., A PENNSYLVANIA CORPORATION DATED 08/26/2004 RECORDED 09/24/2004 IN DEED BOOK 2004-1 PAGE 371977.

BEING KNOWN AS 1031 Hogan Way, Northampton, PA 18067.

TAX PARCEL NUMBER: M4-1-1-133.

THEREON BEING ERECTED a two-story townhouse style dwelling with attached two-car garage with vinyl siding and brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Christine S. Knecht and Kyle P. Knecht.

MARK J. UDREN, ESQUIRE

No. 85
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-07571

ALL that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in Easton City, in the County of Northampton, Commonwealth of PA: bounded and described as follows:

Beginning at a point, the southwest corner of Seventh and Spring Garden Streets, thence southwardly along the western building line of Seventh Street thirty-three and twenty-seven hundredths (33.27) feet

to a point in the line of lands now or late of Sarah I. Jacobson, thence westwardly at right angles to the said Seventh Street and along line of the said lands now or late of Sarah I. Jacobson one hundred one and three tenths (101.3) feet to the said Seventh Street, and or late of Anna E. Beers, thence northwardly by a line parallel to the said Seventh Street, and along line of the said lands now or late of Anna E. Beers, thirty-three and twenty-seven hundredths (33.27) feet to a point on the southern building line of Spring Garden Street, thence along the said building line eastwardly one hundred one and three tenths (101.3) feet to a point, the place of beginning.

Less and Excepting Thereabout and Therefrom all that certain premises known as 72 N. Seventh Street, more fully bounded and described in Deed Book Volume F50, Page 225.

TITLE TO SAID PREMISES IS VESTED IN JOSEPH R. MARTINEZ, JR., UNMARRIED BY DEED FROM STELLA M. LULEWICZ, UNMARRIED DATED 12/29/1995 RECORDED 01/12/1996 IN DEED BOOK 1996-1 PAGE 3418.

BEING KNOWN AS 74 North 7th Street, Easton, PA 18042-3448.

TAX PARCEL NUMBER: L9SE1B-3-3.

THEREON BEING ERECTED a three-story half-of-double style dwelling with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Joseph R. Martinez Jr.

MARK J. UDREN, ESQUIRE

No. 86
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-09166

ALL THAT CERTAIN lot or piece of ground, hereditaments and appurte-

nances, situate at No. 1204 Butler Street, City of Easton, County of Northampton, Commonwealth of Pennsylvania, described as follows:

BEGINNING at a point in the South property line of Butler Street in line of No. 1202 Butler Street, said point being distant 52.55 feet Westwardly from the intersection of the West property line of South 12th Street with the South property line of Butler Street; thence (1) along No. 1202 Butler Street and passing partly through the middle of a 3.0 foot wide private alley to be used jointly by the Grantees herein and the occupants of No. 1202 Butler Street South 6 degrees 30 minutes West 100.00 feet to a stake in line of lot now or late of Horace Lehr, North 83 degrees 30 minutes West 16.17 feet to a stake in line of No. 1206 Butler Street; thence (2) along Lot No. 1206 Butler Street and passing partly through a party wall, North 6 degrees 30 minutes East, 100 feet to a point in the South property line of Butler Street; thence (3) along the South property line of Butler Street South 83 degrees 30 minutes East, 16.17 feet to the point or place of beginning.

BEING the same premises which BERTRAND L. LIPARI, by Indenture bearing date 4/5/2006 and recorded 4/25/2006 in the Office of the Recorder of Deeds, in and for the County of NORTHAMPTON in Deed Book Volume 2006-1 page 161750 etc., granted and conveyed unto MAAN SALLIT, in fee.

TITLE TO SAID PREMISES IS VESTED IN ALTAGRACIA M. REYES BY DEED FROM MAAN SALLIT DATED 08/03/06 RECORDED 08/22/06 IN DEED BOOK 2006-1 PAGE 341538.

BEING KNOWN AS 1204 Butler Street, Easton, PA 18042.

TAX PARCEL NUMBER:
L9SE4A-1-16.

THEREON BEING ERECTED a three-story row home style dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Altagracia M. Reyes.

MARK J. UDREN, ESQUIRE

No. 88
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-10126

ALL THOSE CERTAIN Lot or Parcel of land situate on the South side of Butler Street, between Blackberry and Elder Alleys, in the City of Easton, County of Northampton and Commonwealth of Pennsylvania, bound and described as follows, to wit:

BEGINNING at a point 106 feet 4 inches from the Southeast corner of Butler and Elder Streets; thence Southwardly from said point along lands of the Klein Motor Company 140 feet to a 30 foot wide alley; thence Eastwardly along said alley 30 feet; thence Northwardly along lands of Rocco Misero 140 feet to Butler Street; thence Westwardly along Butler Street 30 feet or place of beginning.

BEING THE SAME PREMISES which Anthony Basile and Antonina Basile, Husband and Wife, by Deed dated March 6, 2007 and recorded on March 13, 2007 in the Office for the recording of Deeds in and for the County of Northampton at Deed Book Volume 2007-1 Page 93692, granted and conveyed unto North Atlantic Development Organization, LLC, its heirs and assigns.

BEING KNOWN AS 1116 Butler Street, Easton, PA.

TAX PARCEL NUMBER:
L9SE4A-3-2.

THEREON BEING ERECTED a three-story row home style dwelling with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of North Atlantic Development Organization, LLC.

THOMAS A. CAPEHART, ESQUIRE

No. 89
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-01936

ALL THAT CERTAIN lot or parcel of land located in the Township of Lehigh, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point which marks the intersection of the Northernly right-of-way line of Walnut Street fifty (50') feet in width, and the Westernly right-of-way of Pennsylvania Route 145; thence along the northernly right-of-way of Walnut Street, South eighty-nine (89) degrees thirty-eight (38) minutes zero (00) seconds West, a distance of one hundred forty (140') feet to a point; thence along the East side of an unopened alley, twenty (20') feet in width, North zero (00) degrees twenty-two (22) minutes zero (00) seconds West, a distance of eighty (80') feet to a point; thence along the lands now or formerly of Charles Kochen, North eighty-nine (89) degrees thirty-eight (38) minutes zero (00) seconds East, a distance of one hundred forty (140') feet to a point; thence along the Westernly right-of-way of Pennsylvania Route 145, South zero (00) degrees twenty-two (22) minutes zero (00) seconds East, a distance of eighty (80') feet to a point, the place of BEGINNING.

CONTAINING: 11,200 square feet or .2571 acres

UNDER AND SUBJECT to the existing covenants, restrictions, deeds and easements of record

BEING THE SAME PREMISES which Zane-Gray Carpentry Inc., a Pennsylvania Corporation, by its Deed dated January 4, 2006 and recorded on January 17, 2006 in the Office for the Recording of Deeds in and for the County of Northampton at Deed Book Volume 2006-1 Page 20260, granted and conveyed unto Robin Little, her heirs and assigns.

BEING KNOWN AS Riverview Drive, Walnutport, PA.

TAX PARCEL NUMBER: H2SW1-2-12-0516.

THEREON BEING vacant land.

SEIZED AND TAKEN into execution of the writ as the property of Robin A. Little.

THOMAS A. CAPEHART, ESQUIRE

No. 90
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-04545

ALL THAT CERTAIN tract or parcel of land and premises situate, lying and being in the City of Easton, County of Northampton and State of Pennsylvania, together with the buildings erected thereon, located on the East side of North 11th Street and commonly known and designated as Nos. 229-231 North 11th Street in the Eighth Ward of the City of Easton, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the east side of North Eleventh Street seventy (70) feet south of the southeast corner of Eleventh and Bushkill Streets; thence extending east parallel to Bushkill Street sixty (60) feet to land now or late of Charles E. Eichline; thence south along said land one hundred (100) feet, more or less, to

said Wood Street; thence in a north-westerly direction along said Wood Street sixty-five (65) feet, more or less, to said Eleventh Street; thence north along the east side of said Eleventh Street fifty-two and fifty one-hundredths (52.50) feet to a point, the place of beginning.

IT BEING THE SAME PREMISES which First Union National Bank, by its Indenture bearing date the twenty-third day of July, A.D. 1997, for the consideration therein mentioned, granted and conveyed unto the said Melinda Watson-Moll, and to her heirs and assigns, forever; as in and by the said in part recited Indenture recorded in the Office for the Recording of Deeds in and for Northampton County, at Easton, Pennsylvania, in Record Book Volume 1997-1, Page 101421, etc., relation being thereunto had, more fully and at large appears.

BEING KNOWN AS 229-231 North 11th Street, Easton, PA 18042.

TAX PARCEL NUMBER: L9NE4D 25 14.

THEREON BEING ERECTED a three-story half-of-double style dwelling with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Melinda Watson-Moll and United States of America.

ALFRED S. PIERCE, ESQUIRE

No. 91
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-02685

ALL THAT CERTAIN lot or tract of land with a brick dwelling erected thereon, being known as No. 825 Sixth Street, situate in the City of Bethlehem, County of Northampton, State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point a distance of ninety-one (91) feet west from the northwest corner of Sixth and Center (now Hayes Street); thence extending west along Sixth Street a distance of thirteen (13) feet to a point in the middle of a partition wall separating this property from No. 823; thence in a northern direction through the middle of this partition wall and along premises now or late of Steven Lontsar and wife sixty-eight (68) feet and six (6) inches to a three (3) feet wide privat alley; thence extending east along said alley a distance of thirteen (13) feet to a point; thence extending south along lands now or late of Peter Sante Mary and through the middle of a partition wall of this and adjoining property No. 827 a distance of sixty-eight (68) feet and six (6) inches to a point the place of BEGINNING.

It is hereby agreed that the sewer and water pipes running through this property from other property of which this is a part and jointly used, shall not be disturbed and that the expenxe for maintenance shall be divided and paid pro-rate to each property.

Having erected thereon a dwelling known and number as 825 East Sixth Street, Bethlehem, Northampton County, Pennsylvania, according to the present system of city numbering.

TITLE TO SAID PREMISES IS VESTED IN Jose A. Hernandez and Doris Hernandez, husband and wife, as tenants by the entirety by Deed from Robert Delgado and Carmen Delgado, husband and wife by Jose M. Correa and Cecilia Diaz, their Attorneys-In-Fact dated 12/16/1986 recorded 12/17/1986 in Deed Book 716 Page 129.

BEING KNOWN AS 825 East Sixth Street, Bethlehem, PA 18015.

TAX PARCEL NUMBER: P6SE2D-3-21.

THEREON BEING ERECTED a two-story row home style dwelling with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Doris Hernandez and Jose A. Hernandez and United States of America.

MARK J. UDREN, ESQUIRE

No. 92
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-04556

ALL THAT CERTAIN lot or piece of ground, hereditaments and appurtenances, situate in the City of Bethlehem (formerly the Borough of South Bethlehem), County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING on Seminole Street at a point 25 feet west of a 20 feet alley; thence along said Seminole Street Westwardly, 25 feet to land now or late of St. Luke's Evangelical Church; thence by a line running northwardly, 90 feet to a point in the ground now or late of Samuel J. Young; thence by a line eastwardly and parallel to said Seminole Street, 25 feet to a point in the ground now or late of E.W. Sheetz; thence by a line running southwardly, 90 feet to Seminole Street, the place of BEGINNING.

Being the same premises which Alliance for Building Communities, a Pennsylvania non-profit corporation, by its deed dated May 20, 2004 and recorded May 28, 2004, in the Office of the Recorder of Deeds in and for Northampton County, Pennsylvania in Deed Book Volume 2004-1, Page 203664, granted and conveyed unto Iliana Cuevas.

BEING KNOWN AS 512 Seminole Street, Bethlehem, PA 18015-1452.

TAX PARCEL NUMBER: P6SW2C 7 6 0204.

THEREON BEING ERECTED a two-story single dwelling with brick exterior and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of Iliana Cuevas.

KIMBERLY J. HONG, ESQUIRE

No. 93
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-13752

ALL THAT CERTAIN parcel or piece of land situate in the Township of Upper Mount Bethel, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the Public Road leading from Portland to Delaware Water Gap, said point of BEGINNING being the northwesterly corner of lands herein described: thence along lands now or formerly Mrs. Carol Alice Wannich Bell, North 70 degrees 00 seconds East, 165.00 feet to a point along the westerly right of way of lands now or formerly Delaware, Lackawanna and Western Railroad Company south 20 degrees 00 minutes 00 seconds East, 100.00 feet to a point; thence through lands of grantors herein of which this was a part, South 70 degrees 00 minutes 00 seconds West, 165.00 feet to a point in first mentioned Public Road, thence in and along same, North 20 degrees 00 minutes 00 seconds West, 100.00 feet to the point and place of BEGINNING.

EXCEPTING AND RESERVING that portion taken for the right of way of aforementioned Public Road.

BEING THE SAME PREMISES which Rodney J. Roberts by his attorney-in-fact, Janis F. Roberts and Janis F. Robert, his wife, by indenture bearing date the 7th day of November, 1986, and being recorded at Easton,

in and for the County of Northampton, on the 14th day of November, 1986, in Deed Book Volume 713, Page 904, granted and conveyed unto Randy Navarro and Karen M. Navarro, in fee.

BEING THE SAME PREMISES which Randy Navarro and Karen M. Navarro, his wife, granted and conveyed unto Randy Navarro by Deed dated December 10, 1993 and recorded on December 30, 1993 in the Office of the Recorder of Deeds of Northampton County, State of Pennsylvania in Book 1993/3, Page 8567. This conveyance is made in accordance with a certain Post-Nuptial Agreement between the parties, and the purpose of the within conveyance is to vest in Randy Navarro herein all of the right, title, and interest of the Grantor, Randy Navarro and Karen M. Navarro, including all rights of dower as well as her right of distribution of real property, pursuant to the laws of the State of Pennsylvania.

BEING KNOWN AS 439 Slateford Road, Mount Bethel, PA 18343.

TAX PARCEL NUMBER: B11 8-1B.

THEREON BEING ERECTED a single ranch style dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Cathy Navarro and Randy F. Navarro.

RICHARD M. SQUIRE, ESQUIRE

CONTINUANCE FROM

MARCH 9, 2012

No. 34

BY VIRTUE OF A CERTAIN

WRIT OF EXECUTION

CV-2011-07574

PARCEL 1—No. 08-8-11:

ALL THAT CERTAIN lot or parcel of land situate in lower Saucon Township, Northampton County, Commonwealth of Pennsylvania according

to a survey made by Harte Engineering, Inc., 649 East Broad Street, Bethlehem, Pa. 18018, bounded and described as follows:

BEGINNING at a point on the northerly right-of-way line of Bergstresser Drive, said point being in line with the lands now or formerly of William T. and Elsie L. Randall; thence,

Along said northerly right-of way line, the following nine courses:

1) On a curve to the left having a radius of 285.00 feet, a chord bearing of North 83° 17' 40" West, a chord length of 60.17 feet and an arc length of 60.28 feet to a point; thence,

2) North 89° 21' 13" West 71.39 feet to a point; thence,

3) On a curve to the left having a radius of 2025.00 feet, a chord bearing of South 88° 01' 38" East, a chord length of 185.08 feet and an arc length of 185.14 feet to a point; thence,

4) South 85° 24' 29" West 434.82 feet to a point; thence,

5) On a curve to the right having a radius of 70.00 feet, a chord bearing of North 59° 46' 40" West, a chord length of 79.93 feet and an arc length of 85.07 feet to a point; thence,

6) North 24° 57' 49" West 94.58 feet to a point; thence,

7) North 22° 57' 49" West 231.13 feet to a point; thence,

8) On a curve to the left having a radius of 325.00 feet, a chord bearing of North 31° 36' 02" West, a chord length of 97.61 feet and an arc length of 97.98 feet to a point; thence,

9) North 40° 14' 15" West 89.50 feet to a point; thence,

Along the lands now or formerly of Ken P. and Genevieve A. Pearson, North 76° 27' 23" East 1090.77 feet to a stone; thence,

Along the lands now or formerly of William T. and Elsie L. Randall, South

06° 23' 05" West 555.21 feet to an iron pipe; thence,

Along the same, South 20° 09' 39" East 171.06 feet to the POINT OF BEGINNING.

CONTAINING: 13.2293 acres.

EXCEPTING AND RESERVING THEREOUT AND THEREFROM all those certain tracts designated Common Elements conveyed by Ashley Development Corporation to Longwood Condominium Association by that certain deed dated February 25, 2009 and recorded in the Recorder of Deeds for the County of Northampton at Book 2009-1, page 53645 et seq.

PARCEL 2—No. 08-7-13:

ALL THAT CERTAIN lot or parcel of land situate in Lower Saucon Township, Northampton County, Commonwealth of Pennsylvania according to a survey made by Harte Engineering, Inc., 649 East Broad Street, Bethlehem, Pa. 18018, bounded and described as follows:

BEGINNING at a point on the southerly right-of-way line of Bergstresser Drive, said point being in line with the lands now or formerly of Kevin V. and Jennie M. Petrucelli; thence,

Along said southerly right-of-way line, the following ten courses:

1) On a curve to the left having a radius of 120.00 feet, a chord bearing of South 67° 29' 19" East, a chord length of 109.34 feet and an arc length of 113.53 feet to a point; thence,

2) North 85° 24' 29" East 434.82 feet to a point; thence,

3) On a curve to the right having a radius of 1975.00 feet, a chord bearing of North 88° 01' 38" East, a chord length of 180.51 feet and an arc length of 180.57 feet to a point; thence,

4) South 89° 21' 13" East 71.39 feet to a point; thence,

5) On a curve to the right having a radius of 235.00 feet, a chord bearing of South 71° 51' 35" East, a chord length of 141.28 feet and an arc length of 143.50 to a point; thence,

6) South 54° 21' 56" East 175.82 feet to a point; thence,

7) On a curve to the right having a radius of 418.57 feet, a chord bearing of South 48° 58' 14" East, a chord length of 89.32 feet and an arc length of 89.49 feet to a point; thence,

8) South 43° 34' 32" East 87.14 feet to a point; thence,

9) On a curve to the left having a radius of 325.00 feet, a chord bearing of South 53° 49' 06" East, a chord length of 115.58 feet and an arc length of 116.20 feet to a point, thence,

10) South 64° 03' 44" East 36.47 feet to a point; thence,

Along the lands now or formerly of William J. Hershey and Kenneth F. and Renee Watterson, South 70° 18' 49" West 1048.10 feet to an iron pipe; thence,

Along the lands now or formerly of Jack R. and Ember J. Parker, South 72° 16' 42" West 153.20 feet to an iron pipe; thence,

Along the lands now or formerly of William J. and Carol Ann Paolini and Barry F. and Janice S. Kovacs, South 70° 32' 57" West 396.99 feet to an iron pipe; thence,

Along the lands now or formerly of Marianne J. Carpency and Willard H. and Marie Cressman, South 69° 42' 13" West 643.22 feet to an iron pipe; thence,

Along the lands now or formerly of John J. and Catherine M. Savitske, North 15° 39' 35" West 358.94 feet to an iron pipe; thence,

Along the same, South 71° 48' 21" West 684.58 feet to an iron pipe; thence,

Along the lands now or formerly of John P. Deegan and Donna H. Braslow, North 08° 45' 25" West 1151.54 feet to a point; thence,

Along the lands now or formerly of David A. and Debra A. Wohlbach and Ken P. and Genevieve A. Pearson, North 76° 58' 39" East 1166.39 feet to a point; thence,

Along the lands now or formerly of Kevin V. and Jennie M. Petrucelli, South 02° 41' 25" East 418.38 feet to an iron pipe; thence,

Along the same, South 85° 41' 42" East 445.90 feet to a point; thence,

Along the same, North 76° 32' 01" East 118.62 feet to the POINT OF BEGINNING.

CONTAINING: 58.2384 acres.

EXCEPTING AND RESERVING THEREOUT AND THEREFROM all those certain tracts designated Common Elements conveyed by Ashley Development Corporation to Longwood Condominium Association by that certain deed dated February 25, 2009 and recorded in the Recorder of Deeds for the County of Northampton at Book 2009-1, page 53645 et seq.

EXCEPTING AND RESERVING THEREOUT AND THEREFROM Lots 19, 20, 21, 22, and 23 conveyed by Ashley Development Corporation to Gigliotti LVI LP by deed dated November 1, 2006 and recorded in the Recorder of Deeds for the County of Northampton at Book 2006-1, page 477316 et seq.

EXCEPTING AND RESERVING THEREOUT AND THEREFROM all those certain lots or pieces of ground with the buildings and improvements thereon erected, hereditaments and appurtenances designated as Lots 11 (Q8-7-13-11), 18 (Q8-7-13-18), 24 (Q8-7-13-24), and 25 (Q8-7-13-25) set forth on a certain map or plan entitled "Long Ridge—Final Development and Site Plan" Sheet 2 of 16, recorded on November 3, 2006 in the

Recorder of Deeds for the County of Northampton Deed Book 2006-5, page 713 et seq. and also being known as:

Lot 11—Long Ridge

BEGINNING at a point at the Westerly corner of Dwelling Envelope 11, said point being located South 55 degrees, 59 minutes, 27 seconds East 110.21 feet from the Southeast-erly most corner of Dwelling Envelop 10 as shown on the aforementioned record plan and shown on a plan titled "Long Ridge—Final Condominium Declaration Plan" sheet 16 of 16; thence,

North 32 degrees, 51 minutes, 29 seconds East 100.00 feet to a point; thence,

South 57 degrees, 08 minutes, 31 seconds East 100.00 feet to a point, thence,

South 32 degrees, 51 minutes, 29 seconds West 100.00 feet to a point; thence,

North 57 degrees, 08 minutes, 31 seconds West 100.00 feet to the point, POINT OF BEGINNING

ALSO INCLUDING: the rights to a drainage drywell and septic system drain fields as shown on sheets 2A and 2B of 16 of the record plan.

Lot 18—Long Ridge

BEGINNING at a point at the Westerly corner of Dwelling Envelope 11, said point being located South 55 degrees, 59 minutes, 27 seconds East 110.21 feet from the Southeast-erly most corner of Dwelling Envelop 10 as shown on the aforementioned record plan and shown on a plan titled "Long Ridge—Final Condominiums Declaration Plan" sheet 16 of 16; thence,

North 25 degrees, 47 minutes, 32 seconds West 75.17 feet to the TRUE POINT OF BEGINNING; thence,

North 29 degrees, 24 minutes, 29 seconds West 100.00 feet to a point, thence,

North 60 degrees, 35 minutes, 31 seconds East 100.00 feet to a point; thence,

South 29 degrees, 24 minutes, 29 seconds East 100.00 feet to the point, thence,

South 60 degrees, 35 minutes, 31 seconds West 100.00 feet to the POINT OF BEGINNING

ALSO INCLUDING: the rights to a drainage drywell and septic system drain fields as shown on sheets 2A and 2B of 16 of the record plan.

Lot 24—Long Ridge

BEGINNING at a point at the Northwestern most corner of Dwelling Envelope 23, as shown on the aforementioned record plan and shown on a plan title "Long Ridge—Final Condominium Declaration Plan" sheet 16 of 16; thence,

North 00 degrees, 14 minutes, 58 seconds East 83.82 feet to the TRUE POINT OF BEGINNING; thence,

North 19 degrees, 49 minutes, 54 seconds West 100.00 feet to a point, thence,

North 70 degrees, 10 minutes, 06 seconds East 100.00 feet to a point, thence,

South 19 degrees, 49 minutes, 54 seconds East 100.00 feet to a point, thence,

South 70 degrees, 10 minutes, 06 seconds West 100.00 feet to the POINT OF BEGINNING.

ALSO INCLUDING: the rights to a drainage drywell and septic system drain fields as shown on sheets 2A and 2B of 16 of the record plan.

Lot 25—Long Ridge

BEGINNING at a point at the Northeasterly most Corner of Dwelling Envelope 24, as shown on the aforementioned record plan and shown on a plan title "Long Ridge—Final Condominium Declaration Plan" sheet 16 of 16; thence,

North 54 degrees, 02 minutes, 23 seconds West 129.92 feet to the TRUE POINT OF BEGINNING; thence,

South 11 degrees, 47 minutes, 06 seconds West 100.00 feet to a point, thence,

North 78 degrees, 12 minutes, 54 seconds West 100.00 feet to a point, thence,

North 11 degrees, 47 minutes, 06 seconds East 100.00 feet to a point, thence,

South 78 degrees, 12 minutes, 54 seconds West 100.00 feet to the POINT OF BEGINNING.

ALSO INCLUDING: the rights to a drainage drywell and septic system drain fields as shown on sheets 2A and 2B of 16 of the record plan.

BEING THE SAME PREMISES which Townsend Family Limited partnership by its Deed dated November 12, 2004 and recorded on December 9, 2004 in the Office of the Recorder of Deeds for the County of Northampton, Pennsylvania is Book 2004-1, page 477128 et seq. did grant and convey to Ashley Development Corporation as follows:

BEING KNOWN AS Bergstresser Drive, Hellertown, PA.

THEREON BEING vacant land.

SEIZED AND TAKEN into execution of the writ as the property of Ashley Development Corporation.

ROSETTA B. PACKER, ESQUIRE

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.

RANDALL P. MILLER
Sheriff

Northampton County,
Pennsylvania

CHRISTOPHER T. SPADONI
ESQUIRE

Solicitor to the Sheriff

Apr. 19, 26; May 3

ATTORNEY NEEDED

The Court of Common Pleas of Lehigh County seeks a licensed Pennsylvania attorney to fill the position of part-time child support hearing officer in the Domestic Relations Division. The individual must have a thorough knowledge of child support law and procedure. The individual must be available two days a week to conduct hearings and issue proposed orders in accordance with state and local rules.

Applicants are limited by Pa. R.C.P. 1910.12(b)(3). "A hearing officer employed by a judicial district shall not practice family law before a conference officer, hearing officer or permanent or standing master employed by the same judicial district."

This is a contract position paying \$50.00 per hour; no benefits are offered.

Submit letter of interest and resume by May 1, 2012 to Vivian M. Appel, Esq., Family Court Administrator, Room 325, Lehigh County Courthouse, 455 W. Hamilton St., Allentown, PA 18101.

Apr. 19, 26

FAMILY COURT HEARING OFFICER NEEDED

The Court of Common Pleas of Lehigh County seeks a licensed Pennsylvania attorney to fill the position of Family Court Hearing Officer. The individual will conduct child custody conciliation conferences and record hearings. Experience in mediation and child custody law is required. This is a full-time county position with a starting salary of \$77,085 plus benefits.

Applicants are limited by Pa. RCP 1910.12(b)(3). "A hearing officer employed by a judicial district shall not practice family law before a conference officer, hearing officer or permanent or standing master employed by the same judicial district."

Submit letter of interest and resume by May 15, 2012 to Vivian M. Appel, Esq., Family Court Administrator, Room 325, Lehigh County Courthouse, 455 W. Hamilton St., Allentown, PA 18101 or:
vivianappel@lehighcounty.org.

Apr. 26; May 3



"TREK THE TWO RIVERS" for Bladder Cancer

Leading the way to a cure

Walk with Us!



NATIONAL BLADDER CANCER AWARENESS DAY MAY 5, 2012

Registration 10:00 a.m.

Walk 11:00 a.m.

Starting in Downtown Easton, to Delaware
River Towpath & Lehigh River Walk/Bike Trail (4.25 mi.)

We walk to raise awareness and to advance bladder cancer
research and education on behalf of the
Bladder Cancer Advocacy Network (BCAN)

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**COMMONWEALTH OF PENNSYLVANIA v.
JEROME M. HICKS, Defendant**

*Pretrial Motions—Preliminary Hearing—Sexual Offender Registration—
Rule 600—Dismissal—Nominal Bail.*

Court denies the Defendant's pretrial motions. The Court considered the issues raised by the Defendant in the written pretrial motion and issues that were raised orally at the pretrial motion hearing. The Commonwealth established a *prima facie* case of failure to comply with sexual offender registration requirements, and the Court found there is no requirement that the affiant must appear at the preliminary hearing. The Court held that the charge did not fall within the category of sexual offenses found by the Superior Court in *Commonwealth v. Arroyo* not to have a reporting requirement. Finally, the Court found that the Commonwealth had not violated Rule 600. The Defendant was not entitled to dismissal of the charges or immediate release and nominal bail.

In the Court of Common Pleas of Northampton County, Pennsylvania,
Criminal Division—No. C-48-CR-2583-2010.

LARA MAMMANA KASH, ESQUIRE, ADA.

Jerome M. Hicks, Pro Se.

Order of the Court entered on April 11, 2011 by BARATTA, J.

ORDER

AND NOW, this 11th day of April, 2011, upon due consideration of Defendant's Omnibus Pretrial motions, it is hereby ORDERED that said pretrial motions are DENIED.

STATEMENT OF REASONS

Defendant, Jerome M. Hicks, is charged with Failure to Comply with Registration of Sexual Offender Requirements under 18 Pa. C.S.A. §4915(a)(1). Allegedly, Defendant was convicted of Attempted Sexual Battery in Florida in 1992. The Commonwealth alleges Defendant has lived in Pennsylvania in excess of six months and failed to register with the Pennsylvania State Police as required under 42 Pa. C.S.A. §9795.2. Defendant's trial was scheduled before the undersigned on April 11, 2011.

This Court held a pretrial hearing on April 1, 2011. During his Court appearance the Defendant insisted that his court-appointed counsel be removed and he made a record as to his *pro se* pretrial motions filed in this case. The Court granted Defendant's request for removal of counsel. We also informed the Defendant that we would issue a written order disposing of his pretrial motions prior to the anticipated trial date of April 11, 2011.

Defendant raised several issues orally at the April 1 hearing: 1) the adequacy of his preliminary hearing and legal sufficiency of the charge; 2) challenging whether he committed a crime in light of *Commonwealth v.*

Arroyo, infra; 3) the Commonwealth's alleged violation of Pa. R.Crim.P. 600(E) and his entitlement to immediate release on nominal bail; and 4) a motion to dismiss based on Pa. R.Crim.P. 600(A)(2). Defendant filed two written motions on February 18, 2011, *pro se* prior to this hearing: the first a motion for immediate release and nominal bail pursuant to Rule 600(E) and the second a motion to dismiss pursuant to Rule 600(A)(2). After reviewing the record and considering Defendant's pretrial motions, we deny said motions.

1. *The Preliminary Hearing*

Defendant argues essentially that his preliminary hearing was procedurally defective and that the Commonwealth failed to prove it had a *prima facie* case against Defendant. In terms of the procedural defects, our review of the record indicates Defendant was properly notified of the preliminary hearing and was represented by counsel at the hearing. We can find no basis on which to remand this case for a preliminary hearing on a procedural ground.

Defendant argues that he is entitled to a new preliminary hearing because the affiant was not present. The record established that a Northampton County Assistant District Attorney appeared at the preliminary hearing and presented a testimonial record in support of a finding of a *prima facie* case against the Defendant.

Our research of the issue fails to show any case law stating the absence of the affiant alone renders the Commonwealth unable to proceed in a criminal action against a defendant.

A preliminary hearing serves to protect an individual against an unlawful arrest and detention. *Commonwealth v. Mullen*, 460 Pa. 336, 333 A.2d 755 (1975). The Commonwealth must establish at least a *prima facie* case that a crime has been committed and the accused is probably the one who committed it. *Commonwealth v. McBride*, 528 Pa. 153, 595 A.2d 589 (1991). To meet its burden at this stage, the Commonwealth must present evidence with regard to each material element of the charge and establish sufficient probable cause to warrant the belief that the accused committed the offense. *Commonwealth v. Wojdak*, 502 Pa. 359, 466 A.2d 991 (1983). The court should make any inferences reasonably drawn from the evidence that support a verdict of guilty and read the evidence in the light most favorable to the Commonwealth case at the preliminary hearing. *Commonwealth v. Owen*, 397 Pa. Super. 507, 580 A.2d 412 (1990).

The Rules of Criminal Procedure provide that an attorney for the Commonwealth may appear at a preliminary hearing and assume charge of the prosecution and recommend to the district judge that the defendant be bound over to court. Pa. R.Crim.P. 542(A). The affiant is empowered to ask questions of a witness that testifies at a preliminary hearing. Pa. R.Crim.P. 542(B). A total failure of the Commonwealth to appear at a

preliminary hearing is a fundamental violation of defendant's right to due process and should warrant dismissal of the complaint. *Commonwealth v. Sandly*, 371 Pa. Super. 486, 490, 538 A.2d 546, 548 (1988).

It is clear that the Commonwealth simply is required to produce sufficient evidence showing that a crime is committed and that the defendant probably committed the crime. The affiant is not obliged to testify under the Rules of Criminal Procedure or case law. The Commonwealth can rely on evidence from other competent sources instead of the affiant in order to establish a *prima facie* case at a preliminary hearing. When an attorney for the Commonwealth is present at the preliminary hearing, the Commonwealth is properly represented pursuant to the Rules.

Simply put, there is no basis that we can find to hold that the affiant must testify or even be present at the preliminary hearing. To the contrary, the case law and the Rules only require that the Commonwealth must be represented at the preliminary hearing by the affiant or an attorney authorized to represent the Commonwealth to create a record to establish a *prima facie* case against the Defendant.

For failure to register, the defendant must knowingly fail to register with the Pennsylvania State Police pursuant to 42 Pa. C.S.A. §9795.2. The Commonwealth presented evidence at the preliminary hearing that, if credited, shows Defendant was convicted of attempted sexual battery in Florida, lived in Pennsylvania in excess of six months and failed to register with the Pennsylvania State Police as a sexual offender. At this stage, it is reasonable to infer that Defendant knowingly failed to register because he did not register and is presumed to have notice of the statute because it was enacted prior to the time of the alleged offense.

The Commonwealth did establish a *prima facie* case at the preliminary hearing stage and the charges were properly bound over to this Court.

2. Section 9795.1 and Commonwealth v. Arroyo

Defendant, Jerome Hicks, argues he has not failed to comply with the registration of a sexual offender requirement in violation of 18 Pa. C.S.A. §4915(a)(1). Specifically, he was convicted of attempted sexual battery in Florida. Because there is no crime of attempted sexual battery in Pennsylvania, Defendant argues his crime falls under 42 Pa. C.S.A. §9795.1(b)(4), which covers crimes similar to certain Pennsylvania sexual offenses. Based on the recent Superior Court decision in *Commonwealth v. Arroyo*, 991 A.2d 951 (Pa. Super. 2010) (holding Section 4915(a)(1) does not criminalize failure to comply with sexual offender registration requirements when an individual is required to register under 42 Pa. C.S.A. §9795.1(b)(4)), Defendant argues he has committed no crime and the charge should be dismissed.

Defendant's reliance on *Arroyo* is misplaced. Defendant was convicted of attempted sexual battery in Florida. In Pennsylvania, a person

convicted of attempt of a sexual offense subject to registration is categorized under Section 9795.1(a)(2). Subsection (a)(3) states an individual convicted of an offense in another state similar to a crime cited in paragraph (a)(2) is subject to registration. Section 4915(a)(1) clearly criminalizes a person's failure to register when convicted of an offense categorized under Section 9795.1(a)(3).

The Commonwealth asserted that sexual battery is equivalent to the Pennsylvania crime of Involuntary Deviate Sexual Intercourse. 18 Pa. C.S.A. §3123. However, the facts of Defendant's Florida conviction show that he attempted to place "his penis in union with the victim's vagina." The definition of "deviate sexual intercourse" limits such conduct to sexual conduct per os or per anus between human beings, or penetration by a foreign object. 18 Pa. C.S.A. §3101. Arguably, the fact pattern supporting the Defendant's conviction for attempted sexual battery is more similar to Sexual Assault or Aggravated Indecent Assault. 18 Pa. C.S.A. §§3124.1, 3125.

We will try to be efficient and exact in explaining the logical support for the Defendant's charge: The Defendant was convicted of an attempted sexual offense in Florida—attempted sexual battery. Sexual battery is similar to offenses listed in 42 Pa. C.S.A. §9795.1(b)(2).¹ Convictions for attempted sexual offenses found in Section 9795.1(b)(2) are subject to the ten-year Pennsylvania reporting requirement as set forth in Section 9795.1(a)(2). Finally, individuals residing in Pennsylvania who have been convicted in other states of crimes which require ten-year registration under Section 9795.1(b)(2) are required to register with the Pennsylvania State Police.

The information alleges Defendant failed to properly register as a sexual offender in violation of 18 Pa. C.S.A. §4915(a)(1). A failure to register pursuant to 42 Pa. C.S.A. §9795.1(a)(3) is a crime pursuant to Section 4915(a)(1). The Superior Court's holding in *Arroyo* only applies to offenses that are categorized under Section 9795.1(b)(4). Defendant's offense in this case does not fall under that provision, therefore, Defendant is not entitled to a dismissal of the charges.

3. Dismissal of the Charge Under Pa. R.Crim.P. 600(A)(2)

Defendant has been incarcerated on the underlying charge since the date of the filing of the criminal complaint and preliminary arraignment on May 25, 2010. Apparently, Defendant is unable to post bail. Defendant argues the Commonwealth must try him within 180 days of the date of the criminal complaint because he is incarcerated on that charge. *See* Pa. R.Crim.P. 600(A)(2). Based on the Defendant's assertion, he argues the Commonwealth was required to try his case on or before November 22,

¹ Sexual Assault or Aggravated Indecent Assault. 18 Pa. C.S.A. §§3124.1 and 3125.

2010.² He argues that he is entitled to dismissal of the charges for this violation.

The Superior Court has spoken unequivocally on what remedies are available to a defendant for a violation of Rule 600(A)(2):

Other than release on nominal bail, no other remedy is prescribed for defendants incarcerated for less than three hundred sixty-five days, even if they were not, in fact, released on nominal bail. ... The only occasion requiring charges to be dismissed occurs if the Commonwealth fails to bring the defendant to trial within three hundred sixty-five days, taking into account all excludable time and excusable delay.

Commonwealth of Pennsylvania v. Murray, 879 A.2d 309, 314 (Pa. Super. 2005) (citations omitted).

Dismissal is only warranted if the Commonwealth fails to bring Defendant to trial within 365 days of the date the criminal complaint was filed, after adjustments are made for excusable and excludable delays. Pa. R.Crim.P. 600(A)(3). This fact pattern requires no time calculation by this Court. Without considering any periods of time excused or excluded under Rule 600, Tuesday, May 24, 2011, is 365 days from the date the criminal complaint was filed on May 25, 2011. The 365-day time period has not expired.

Defendant is clearly not entitled to dismissal of the charge based on Rule 600(A)(2).

4. Immediate Release and Nominal Bail Pursuant to Pa. R.Crim.P. 600(E)

Defendant argues he is entitled to nominal bail pursuant to Pa. R.Crim.P. 600(E). Rule 600(E) states no defendant shall be held in pretrial incarceration for a period exceeding 180 days. A defendant is entitled to immediate release on nominal bail if held in excess of 180 days. However, Pa. R.Crim.P. 600(C) sets forth criteria for determining excludable time from the 180-day trial requirement. Defendant argues he has been kept in pretrial confinement in excess of 180 days and is entitled to immediate release and nominal bail.

A hearing was set on April 1, 2011 on Defendant's motion. The Commonwealth presented the testimony of Holly Pulsinelli, the Keeper of the Record and Extradition Secretary for the Northampton County District Attorney's Office. The Keeper of the Record keeps track of Rule 600 issues and keeps a timetable for specific cases upon request. Ms. Pulsinelli testified that Defendant filed two habeas corpus motions: one on July 15, 2010; and a second on August 10, 2010. She determined the Commonwealth had

² Actually, 180 days from May 25, 2010 would be November 21, 2010. Because November 21, 2010 was a Sunday, in this case the 180-day period ends on Monday, November 22, 2010. See Pa. R.C.P. No. 106(b).

used 52 days up until August 10, 2010. Ms. Pulsinelli testified that defense counsel asked for a continuance at the call of the criminal list on October 5, 2010 and subsequently filed a praecipe on his motion to withdraw as counsel on October 22, 2010. At the November 2, 2010, call of the list, Ms. Pulsinelli testified no continuance was requested, the attorneys were instructed to report back to the judge and the case carried over to the November 30, 2010 criminal list. On November 30, 2010, Ms. Pulsinelli testified defense counsel requested a continuance. On November 30, 2010 this Court entered an order attaching the case for trial on March 7, 2011. The case was then carried over from the March to the April 11, 2011 criminal list, but there was no notation as to whether a continuance was granted. According to Ms. Pulsinelli's calculations, the Commonwealth had used up 136 days to the date of trial on April 11, 2011.

In response, the Defendant asserted that he did not sign any Rule 600 waivers or agree to any trial continuances. However, Defendant's counsel acknowledged that he asked the Court for continuances at the criminal calls on October 5, 2010 and November 2, 2010, because he was not ready or available to proceed to trial. Defense counsel also asserted that he did not recall asking for a continuance on November 30. Defendant's counsel asserted that the continuance granted on March 7, 2010 was due to the unavailability of Commonwealth witnesses in Florida. Unfortunately, the file is devoid of any Orders or record related to the November 30, 2010 and March 7, 2011 continuances.

Our review of the record also reflects that on June 11, 2010 Attorney Anthony Rybak entered his appearance for Defendant. Defendant filed a Writ of Habeas Corpus *pro se* on July 15, 2010 challenging the legal sufficiency of the charges. Also on July 15, 2010, Defendant wrote a letter to Attorney Rybak and the Public Defender's Office complaining about Mr. Rybak's appointment and requesting new counsel. The Defendant's Preliminary Hearing was held on July 29, 2010 after which Formal Arraignment was scheduled for August 19, 2010.

On August 10, 2010 the Defendant filed a second Habeas Corpus motion again challenging the legal sufficiency of the charges.

On August 19, 2010 Attorney Rybak and the Defendant appeared. At the Defendant's request Attorney Rybak was permitted to withdraw and Attorney Matthew Potts was appointed from the conflicts team to represent the Defendant. Arraignment was rescheduled for September 2, 2010.

At the September 2, 2010 Arraignment, the Defendant was given his pretrial rights, including his right to request discovery and file pretrial motions within 30 days. He was also given the next possible trial date for the criminal term in October. The matter was scheduled for the first trial listing on October 5, 2010.

An attachment Order was entered by Judge Zito at the November 30, 2010 criminal call, which set the trial date for March 7, 2011 and stated

that no further continuances absent “exigent circumstances” would be granted. The attachment Order also directed that “[a]ll pretrial Motions not pending disposition shall be heard and disposed of by the assigned Trial Judge.”

On February 18, 2011, the Defendant then filed additional pretrial motions, including a Habeas Corpus motion challenging the legal sufficiency of the charges and this Rule 600 motion. The Defendant also filed a praecipe for a hearing, but did not request a hearing date.³ Defense counsel filed a praecipe for the Miscellaneous Hearing List for February 23, 2011 before Judge Beltrami. There is no record made as to what action, if any, was taken by Judge Beltrami on that date.

The record also does not indicate what happened at the call of the criminal list on March 7, 2011. The record does contain a second Attachment Order generated by Judge Zito dated March 9, 2011 attaching this case for trial on April 11, 2011.

Thereafter, Judge Zito assigned this case to the undersigned for the April 11 trial date. We reviewed the file and immediately listed the matter on the April 1, 2011 Miscellaneous Hearing List. On that date, the Defendant was very vocal about his desire for a ruling on his outstanding pretrial motions. The Commonwealth was prepared to make its record in opposition to the Defendant’s motion. We took testimony and completed the record for disposition of the outstanding motions.

On that date, the Defendant also requested that Mr. Potts be removed as his trial counsel. The Defendant insisted that he preferred to represent himself. After a colloquy with the Defendant, we granted his wish. We heard his argument in support of his pretrial motions.

After the conclusion of the hearing we informed the parties that we intended to review the record, issue a written opinion on April 11, 2011 and, if we were to deny the Defendant’s motions, commence trial that day. We also appointed Brian Monahan, Esquire to be stand-by counsel for the Defendant, should this matter go to trial on April 11, 2011.

A. Standard of Law

A defendant is entitled to immediate release on nominal bail if he is held in pretrial incarceration for a period exceeding 180 days excluding the time described in Rule 600(C). Pa. R.Crim.P. 600(E). When determining the period for commencement of trial, the court shall exclude: 1) the time between filing of the written complaint and arrest; 2) the period of time for which defendant expressly waives Rule 600; 3) such period of delay at any stage of the proceedings resulting from: (a) the unavailability of defendant or the defendant’s attorney, or (b) any continuance granted at the request of defendant or the defendant’s attorney. Pa. R.Crim.P. 600(C).

³ Clearly there was no need to request a hearing date as Judge Zito’s Order required pretrial motions to be heard prior to the March 7, 2011 trial.

In considering a Rule 600 claim, the court must consider the dual purpose of the rule: (1) protection of the accused's speedy trial rights; and (2) protection of society. *Commonwealth v. Murray*, supra, 879 A.2d at 312. In order to determine whether a technical violation of Rule 600 occurred, the court first must establish the mechanical run date, which is the number of days in which the trial must commence from the date on which the criminal complaint was filed. *Id.* at 313. Next, the court must determine what periods of time are excluded due to delay caused by the defendant, which constitutes the adjusted run date. *Id.* The trial must be commenced prior to the adjusted run date in order to comply with Rule 600.

The Commonwealth bears the burden of proving that delays are to be excluded from the computation of the mandatory start date under Rule 600. *Commonwealth v. Garrison*, 277 Pa. Super. 18, 24, 419 A.2d 638, 641 (1980). Put another way, the "Commonwealth must do everything reasonable within its power to guarantee that a trial begins on time," and it must prove "its efforts to bring the defendant to trial were reasonable and diligent." *Commonwealth v. Matis*, 551 Pa. 220, 710 A.2d 12, 17 (1998).

In *Commonwealth v. Hill*, 558 Pa. 238, 736 A.2d 578 (1999), our Supreme Court analyzed a situation similar to the instant matter, in which the defendant argued that the time during which his pretrial motions were pending did not constitute excludable time as it is defined in Rule 1100 (now Rule 600). In that case, the court stated that "[i]n considering whether a defendant has been brought to trial within the time requirements of Rule 1100, a court must determine whether any 'excludable time' exists ... any period of time which is excludable from the calculation of determining whether a Rule 1100 violation has occurred." *Id.*, 736 A.2d at 584. The court explained that the plain language of Rule 1100(c) provides that "... delays caused by pretrial motions constitute excludable time where the pretrial motion renders the defendant unavailable." *Id.*, 736 A.2d at 585 (emphasis added). Further, *Hill* requires that the Commonwealth must prove by a preponderance of the evidence that it acted with due diligence throughout any period it wishes to exclude from the Rule 600 calculation. *Id.*, 736 A.2d at 586.

Under the *Hill* analysis, the filing of a pretrial motion does not automatically result in excludable time from Rule 600. A defendant is considered unavailable for trial if the delay in the commencement of trial is caused by the filing of the pretrial motion. Further, the Commonwealth must demonstrate that it exercised due diligence in responding to and opposing the pretrial motion. If a delay is caused by the Commonwealth's failure to exercise due diligence, the delay will not constitute excludable time against the Rule 600 calculation. *Id.*, 736 A.2d at 587. "Due diligence does not require perfect vigilance and punctilious care, but rather a showing by the Commonwealth that reasonable effort has been put forth." *Id.*, 736 A.2d at 588.

In *Commonwealth v. Solano*, 588 Pa. 716, 906 A.2d 1180, 1189 (2006), the Supreme Court reaffirmed “that when an accused appears for a court proceeding without counsel and without waiving his right to counsel, the period of delay caused thereby is excludable [time] from ... Rule 600 computation.”

Although a delay caused by a continuance requested by a defendant or defense counsel is to be excluded from the 180-day computation, it is error for a court to infer from a silent record that a defendant requested a continuance. *Garrison*, supra at 24, 419 A.2d at 642. However, the Explanatory Note to Rule 600 states: “[w]hen a judge grants a continuance requested by the defendant, trial should be rescheduled for a date certain consistent with the continuance request and the court’s business, and the entire period of such continuance may be excluded under paragraph (C).”

B. Discussion

Defendant asserts that during the pendency of the pretrial motion, he was available for trial. In support of his position, the Defendant cites *Commonwealth v. Hill*, supra. We find the Defendant’s reliance on *Commonwealth v. Hill* misplaced. In *Hill*, the Supreme Court found that, where a defendant files a pretrial motion, that motion renders him unavailable for trial so long as the Commonwealth responds with due diligence to that pretrial motion. The defendant also misunderstands the impact of his pretrial activities as it relates to his availability for trial. We therefore make the following calculation of excludable time for purposes of Rule 600(E):

C. Calculation

In the instant matter, the following periods are clearly excludable time because the Defendant was not available to have his matter timely disposed:

1) June 3, 2010 until June 29, 2010, when the Preliminary Hearing was continued because the Defendant had not pursued his request for a Public Defender (a period of 26 days);

2) August 19 until September 2, 2010, when the arraignment was continued so that new counsel could be appointed at the Defendant’s request (a period of 14 days);

3) September 2, 2010 until October 5, 2010. October 5, 2010 was the very first trial date after the 30-day period granted to the Defendant to pursue discovery and file pretrial motions (a period of 33 days). Under Pa. R.Crim.P. 579, the defendant is afforded 30 days to pursue pretrial motions. This matter was listed for trial on October 5, 2010, the first available criminal listing after the 30-day period;

4) Trial date of October 5, 2010 until trial date of November 2, 2010, and trial date of November 2, 2010 until trial date of November 30, 2010, the period that defense counsel acknowledges that he requested a continu-

ance because he was not available and ready to try this matter (a period of 56 days). Each time, the rescheduled date was for the next available criminal list consistent with the Explanatory Note to Rule 600;

5) February 18, 2011 until April 1, 2011, the period of time that the Defendant filed his most recent *pro se* motions and the date that they were heard as there is nothing in the record that suggests that the Defendant's motions were untimely addressed. There is no indication in the record that the Commonwealth delayed the hearing and resolution. We find that the Commonwealth responded reasonably to the filing of the February 18, 2011 pretrial motion and were prepared to pursue a timely resolution (a period of 41 days);

6) April 1, 2011 until April 11, 2011, date of the hearing on Defendant's pretrial motions until the date of resolution of Defendant's pretrial motion. In our opinion this is a reasonable period of time to review the record, research the law and submit a written Order (a period of 10 days).

*Total excludable time 180 days.*⁴

The time period that counts against the time frame for calculating the Defendant's right to a speedy trial under Rule 600(E) is as follows: The date of filing of these charges (May 25, 2010) until anticipated trial (April 11, 2011) is 321 days, minus the excludable time of 180 days, establishes that 141 days attributable to Rule 600(E) has expired.

The Commonwealth has not violated Rule 600(E) and the Defendant is not entitled to immediate release on nominal bail.

⁴ Our calculation indicates that there are at least 180 days of excludable time. We ignored discussing the effect that the filing of *pro se* motions on July 15 and August 10, 2011 may have on Rule 600 calculations for two reasons: 1) The record above recited clearly indicates that the 180-day period set forth in Rule 600(E) for right to nominal bail has not run so assuming the trial is held on April 11, 2011 it would be moot; and, 2) Those motions were filed prior to arraignment. The record indicates that the Defendant, Defense Counsel and the Commonwealth acted as though there was no urgency or even need to address those motions. It is clear that the filing of those motions did not require judicial intervention for resolution before the Defendant's matter could be tried. Those motions did not delay trial. As a result, we likely would not toll Rule 600 because of the pendency of those motions.

**JEFFREY R. PIERSON, Plaintiff v. WELLS FARGO BANK, N.A.
and OPTION ONE MORTGAGE CORPORATION, Defendants**

Summary Judgment—Breach of Contract—Breach of Fiduciary Duty—Unfair Trade Practices and Consumer Protection Law—Statute of Limitations.

Court grants the Defendants' motion for summary judgment and the Plaintiff's amended complaint is dismissed. The Plaintiff instituted a complaint against the Defendants arising from the force-placing of mortgage insurance on the Plaintiff's property and subsequent foreclosure under a breach of contract theory, breach of fiduciary duty theory, and an alleged violation of the Unfair Trade Practices and Consumer Protection Law (UTPCPL).

The breach of contract and breach of fiduciary duty claims were barred by the applicable statute of limitations. The Court found that May 23, 2002 was the date from which the applicable statute of limitations time periods began to run. This action was initiated by the filing of a writ of summons in Bucks County on April 13, 2007. The writ of summons was filed outside the 4-year statute of limitations period for breach of contract claims and the 2-year statute of limitations for breach of fiduciary duty claims. While the UTPCPL claim was raised within the 6-year statute of limitations period, the Plaintiff failed to produce any evidence that the Defendants misrepresented the mortgage contract as required under the catch-all provision of the UTPCPL. All three claims raised in the amended complaint were dismissed and the motion for summary judgment was granted.

In the Court of Common Pleas of Northampton County, Pennsylvania,
Civil Division—Law, No. C-48-CV-2008-2170.

Jeffrey R. Pierson, Pro Se.

BARBARA K. HAGER, ESQUIRE, for the Defendants.

Order of the Court entered on April 8, 2011 by BARATTA, J.

ORDER

AND NOW, this 8th day of April, 2011, upon due consideration of the Defendants', Option One Mortgage Corporation, n/k/a Sand Canyon Corporation and Wells Fargo Bank, N.A., Second Renewed Motion for Summary Judgment, and the briefs and argument submitted in support and in response thereto, it is hereby ORDERED that said Motion is GRANTED. Plaintiff's Amended Complaint is hereby DISMISSED with prejudice as to Option One and Wells Fargo.

STATEMENT OF REASONS

Factual and Procedural History

Plaintiff, Jeffrey Pierson, signed an Agreement of Sale to purchase 2456 Center Street, Bethlehem, PA for \$400,000 from Thomas and Corrie Taylor in 1999. An addendum to the Agreement was later added stating that the purchase price was \$359,900 and that Defendant, Option One Mortgage, would lend \$287,920 to Plaintiff while the Taylors would hold a second mortgage for \$53,985. Plaintiff and his wife executed a mortgage agreement

and a note to borrow \$287,920 from Option One at closing on December 21, 1999. At the time of closing, Plaintiff had homeowners' insurance on the property as required by the mortgage.

Option One sent a letter to Plaintiff dated January 17, 2001, that Plaintiff was required to provide proof of homeowners' insurance or appropriate insurance would be obtained on Plaintiff's behalf because Option One had information Plaintiff's coverage lapsed. After Plaintiff failed to timely provide proof of insurance coverage, Option One force-placed insurance coverage on Plaintiff's property and charged Plaintiff for the cost of the insurance. Option One cancelled the force-placed insurance in May 2001 when it was informed by Plaintiff's insurance agent that Option One was added as a payee to Plaintiff's insurance policy. Plaintiff's account was credited for payments charged while the force-placed insurance was in effect. When Plaintiff's insurance lapsed in March 2002, Option One force-placed insurance again after notifying Plaintiff by letters dated January 8, March 1 and April 22, 2002. Option One sent one final letter to Plaintiff on May 24, 2002 informing him that insurance had been force-placed. Plaintiff failed to make at least one mortgage payment some time in 2000 or 2002. Wells Fargo, as trustee of the mortgage from Option One, initiated mortgage foreclosure proceedings against Plaintiff in an action filed on May 22, 2002.

Plaintiff began this litigation against Defendants, Option One Mortgage Corporation and Wells Fargo Bank, by filing a writ of summons in Bucks County on April 13, 2007. A Complaint was subsequently filed on May 23, 2007. The matter was transferred to the Northampton County Court of Common Pleas by a court order dated January 30, 2008. After Defendants successfully opened a default judgment previously entered in favor of Plaintiff, an Amended Complaint was filed by Plaintiff on October 20, 2008.

The Amended Complaint alleged three causes of action against Defendants arising from the force-placing of homeowner's insurance on Plaintiff's property and subsequent mortgage foreclosure: 1) breach of contract, 2) breach of fiduciary duty, and 3) violation of the Unfair Trade Practices and Consumer Protection Law (UTPCPL). Plaintiff alleges Wells Fargo and Option One were agents and servicing entities of each other and that Wells Fargo participated in the actions allegedly committed by Option One. Plaintiff demanded that the mortgage and note be cancelled and satisfied, treble damages in excess of \$50,000 be awarded, and for attorney's fees and costs to be awarded.

The pleadings in this matter were closed by an order of this Court dated November 23, 2009. After Defendant filed its first motion for summary judgment, this Court issued an order dated January 5, 2010, dismissing the motion without prejudice and directing that a renewed summary judgment motion could be filed only once discovery had been completed or any applicable discovery deadline had expired. A pretrial hearing to determine discovery deadlines was held on March 4, 2010. This Court

subsequently issued an order dated March 4, 2010, stating that all discovery was required to be completed within 120 days of that date. Plaintiff petitioned for reconsideration of the March 4 Order and this Court denied Plaintiff's petition in an order dated June 10, 2010. Defendants filed a renewed motion for summary judgment on June 23, 2010.

After Plaintiff's second petition for reconsideration of the March 4 Order was denied by this Court on June 28, Plaintiff appealed the decision to the Superior Court. The Superior Court dismissed Plaintiff's appeal on December 9, 2010. As a result, this Court ordered Defendant to answer Defendants' motion for summary judgment and the matter was set for the January 4, 2011 Argument List. Both parties submitted briefs and presented oral argument.

Legal Standard

Pennsylvania Rule of Civil Procedure 1035.2 states:

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:

(1) whenever there is no genuine issue of any material fact as to a necessary element of the cause of action or defense which could be established by additional discovery or expert report, or

(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 or defense which in a jury trial would require the issues to be submitted to the jury.

Pa. R.C.P. No. 1035.2. Further, under Pa. R.C.P. No. 1035.3(a), the non-moving party may not rest upon mere allegations or denials of the pleadings but must file a response within thirty (30) days after service of the motion. Rule No. 1035.2(a)(2). In other words, the non-moving party has a clear and affirmative duty to respond to a motion for summary judgment. *Harber Philadelphia Center City Office Limited v. LPCI Limited Partnership*, 764 A.2d 1100, 1104 (Pa. Super. 2000). Also, Pa. R.C.P. No. 1035.3(d) specifically provides that "[s]ummary judgment may be entered against a party who does not respond." The non-moving party bears a responsibility to raise its defenses and grounds for relief in a response to a motion for summary judgment, and a trial court cannot be expected to "scour the record for every conceivable ground on which to deny summary judgment." *Harber*, supra at 1105.

Summary judgment may be granted only in the clearest of cases where the record shows that there are no genuine issues of material fact and also demonstrates that the moving party is entitled to judgment as a matter of law. *PJS v. Pennsylvania State Ethics Commission*, 555 Pa. 149, 723 A.2d 174, 176 (1999). The moving party has the burden of proving the non-

existence of any genuine issue of material fact. *O'Rourke v. Pennsylvania Department of Corrections*, 730 A.2d 1039 (Pa. Commw. 1999). The record must be viewed in the light most favorable to the non-moving party, and all doubts as to the existence of a genuine issue of material fact must be resolved against the moving party. *Ertel v. Patriot-News Company*, 544 Pa. 93, 98-99, 674 A.2d 1038, 1041 (1996).

Discussion

Plaintiff alleged three causes of action against Defendants: breach of contract, breach of fiduciary duty, and violation of the Unfair Trade Practices and Consumer Protection Law (UTCPL). Defendants attack these claims on several grounds in their motion for summary judgment.

1. Breach of Contract

Defendants first argue that Plaintiff's breach of contract action is barred by the statute of limitations.¹ Under Pennsylvania law, an action

¹ We first note that generally a statute of limitations defense must be pleaded in New Matter. See Pa. R.C.P. No. 1030. In this case, the Answer filed by Defendant on October 7, 2009, to the Amended Complaint does not have a New Matter section nor does it raise a statute of limitations defense. However, Defendant did raise a statute of limitations defense in the brief supporting its first Motion for Summary Judgment filed on February 13, 2009, which was denied because the pleadings had not been closed. The defense was renewed in the briefs supporting Defendants' second and third motions for summary judgment, including the motion now before this Court.

In addition, a packet of papers titled "Unlocked Papers" was provided to the Superior Court as exhibits in Plaintiff's appeal of this Court's June 10, 2010 Order. Included in this packet are three copies of what appear to be drafts of an Answer to Plaintiff's original complaint. The documents have a Notice to Plead on the first page, and the Answers are all signed by defense counsel. One Answer is verified by a Wells Fargo agent and dated May 15, 2008, another Answer is verified by an Option One agent and dated May 14, 2008, and the third copy has both verifications attached. All three copies of the Answer contain a New Matter section that includes the statute of limitations defense. However, none of these documents were filed and the Notice to Plead on the first page of each copy is not signed.

Although the statute of limitations defense was raised in Defendants' briefs and the un-filed Answers, Plaintiff failed to object to the manner in which the statute of limitations defense was raised. Despite Defendants' failure to properly plead a statute of limitations defense, Plaintiff had notice that the defense was raised. This Court may consider a statute of limitations defense when it is improperly raised if the opposing party fails to object to the manner in which the defense was raised and all relevant facts appear on the face of the pleadings to support such a defense. See *Sayne v. Wylie*, 296 Pa. Super. 134, 442 A.2d 694 (1982) (court determined statute of limitations defense, improperly raised by preliminary objection, on the merits because defendant failed to object); 3 Goodrich Amram 2d §1032(a):8. A party may amend his pleading at any time with leave of court, and amendments are to be liberally granted except where surprise or prejudice to the other party would result or the amendment is against a positive rule of law. See Pa. R.C.P. No. 1033; *Tanner v. Allstate Insurance Company*, 321 Pa. Super. 132, 138, 467 A.2d 1164, 1167 (1983). The Superior Court has amended a pleading sua sponte on appeal in order to affirm a decree. See *Sutton v. Miller*, 405 Pa. Super. 213, 592 A.2d 83 (1991). Plaintiff failed to object to the method by which Defendants raised the statute of limitations defense and had notice the defense was raised. Therefore, we will address the merits of the defense as if it were properly raised.

“upon a contract” must be commenced within four years of the date the cause of action accrued. *See* 42 Pa. C.S.A. §5525(a)(8). Generally, the statute of limitations time period begins to run when the cause of action arises or accrues. *Leedom v. Spano*, 436 Pa. Super. 18, 28, 647 A.2d 221, 226 (1994). A cause of action accrues in a contract case when “there is an existing right to sue ... on the breach of contract.” *Id.* In other words, the statute of limitations begins to run when the breach occurs. *McGaffie v. City of New Castle*, 973 A.2d 1047, 1052 (Pa. Commw. 2009). This Court determines when a cause of action accrues by establishing “the time when the plaintiff could have first maintained the action to a successful conclusion.” *Kapil v. Association of Pennsylvania State College and University Faculties*, 504 Pa. 92, 99, 470 A.2d 482, 485 (1983).

Plaintiff stated the alleged breach of contract arose from several events including: unlawful demands for proof of insurance payments, force-placing insurance without justification, declaring a default when no default occurred and instituting an action in mortgage foreclosure when no right to do so existed. (Amended Complaint, ¶¶26 and 40.) None of the documents or testimony of record raise any other instances of an alleged breach of contract. The record supports a finding that the last letter regarding force-placed homeowners’ insurance was dated May 24, 2002; the letter was a final notice that force-placed insurance was purchased in March. According to the docket sheet in Northampton County Case No. 2002-3822, Option One and Wells Fargo filed an action in mortgage foreclosure against Pierson on May 22, 2002, and Plaintiff was personally served a copy of the complaint on May 23, 2002. Plaintiff presented no evidence to dispute these dates.

As a result, under the most generous interpretation possible, we can find Plaintiff must have had knowledge of the alleged breach of contract by May 23, 2002, when he was served a copy of the complaint in mortgage foreclosure. The relevant statute of limitations time period therefore runs four years from that date until May 23, 2006. This action was not initiated until a writ of summons was filed in Bucks County on April 13, 2007. That is nearly one year after the relevant statute of limitations time period expired.

Therefore, we dismiss Count I against each Defendant for failure to file within the time period allowed by the applicable statute of limitations.

2. Breach of Fiduciary Duty

Plaintiff’s Count II against both Defendants alleges Defendants breached a fiduciary duty owed to Plaintiff. Plaintiff alleges the same actions that gave rise to the breach of contract claim provide the basis for the breach of contract claim. (Amended Complaint ¶¶32 and 46.) The relevant statute of limitations provides that a cause of action alleging a breach of fiduciary duty must be commenced within two years. 42 Pa. C.S.A. §5524. Referring to our discussion above, we note the statute of limitation time

period does not begin to run until the cause of action accrues. *See Leedom*, supra.

The mortgage foreclosure action was instituted on May 22, 2002. The record shows Plaintiff was aware of the force-placed insurance and the mortgage foreclosure action by this date. As we discussed above, the most generous date that a fact-finder could find given the evidence of record is May 23, 2002, when the Plaintiff was served a copy of the complaint in mortgage foreclosure. Even with that date, Plaintiff was required to initiate a lawsuit alleging this cause of action by May 23, 2004. The writ of summons was filed nearly three years after the statute of limitations ran. Clearly, Plaintiff has not complied with the relevant statute of limitations and this claim is barred.

We therefore also grant Defendants' motion for summary judgment on Count II against each Defendant.

3. *Unfair Trade Practices and Consumer Protection Law*

Defendants raised the statute of limitations as a defense to Plaintiff's UTPCPL claim. Because the UTPCPL does not have a limitation period specified in the law, it is subject to Pennsylvania's default limitation period of six years. *See* 42 Pa. C.S.A. 5527. Plaintiff's claim was clearly filed within six years of the initiation of mortgage foreclosure proceedings. While Defendant argues that only activities occurring after May 24, 2001 could support this claim, because the writ of summons was filed April 13, 2007, we will not grant summary motion on this ground. The practices alleged in claim could be of a continuous nature, therefore acts committed more than six years before the lawsuit was filed could be part of this cause of action. Therefore, we find that the UTPCPL claim is not barred by the statute of limitations, and it is a question for the finder of fact as to what acts are barred by the statute of limitations.

However, our analysis does not end there. Defendants also argue that Plaintiff has not provided any evidence to support a prima facie UTPCPL claim. We must determine whether there is any evidence in the record supporting Plaintiff's claim that Defendants violated the UTPCPL. If Plaintiff has failed to present facts or evidence supporting a prima facie case on even one element of a UTPCPL claim, Defendants' motion for summary judgment must then be granted.

A person that purchases services primarily for personal or household purposes that suffers a loss of money or property as a result of the use or employment by any person of a method, act or practice declared unlawful by Section 3 of the UTPCPL may bring a lawsuit to recover actual damages. 73 P.S. §201-9.2(a). Section 3 of the UTPCPL states that the practices defined in subsections (i) through (xxi) of Clause (4) of Section 2 of the UTPCPL are unlawful. 73 P.S. §201-3. The twenty-first provision of Clause 4 of Section 2 is considered a "catch-all" provision that makes it

unlawful for a person to engage in “any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding.” 73 P.S. §201-2(4)(xxi).

A plaintiff must show malfeasance on the part of the defendant in order to prevail under the “catch-all” provision of the UTPCPL; nonfeasance is not actionable. *See Nordi v. Keystone Health Plan West, Inc.*, 989 A.2d 376 (Pa. Super. 2010). In order to sustain or prevail on a claim under the “catch-all” provision of the UTPCPL, the plaintiff must establish all the elements of common-law fraud. *See Booze v. Allstate Insurance Company*, 750 A.2d 877 (Pa. Super. 2000). Common-law fraud is proven if a plaintiff can show: “(1) a representation; (2) which is material to the transaction at hand; (3) made falsely, with knowledge of its falsity or recklessness as to whether it is true or false; (4) with the intent of misleading another into relying on it; (5) justifiable reliance on the misrepresentation; and (6) the resulting injury was proximately caused by the reliance.” *Gibbs v. Ernst*, 538 Pa. 193, 207, 647 A.2d 882, 889 (1994).

Plaintiff brought a claim under the UTPCPL in Count III against both Defendants. However, Plaintiff did not allege, nor did he produce evidence tending to show Defendants participated in any of the practices defined in sections (i) through (xx) of Section 2, Clause 4 of the UTPCPL. The only claim supported by Plaintiff’s Amended Complaint and subsequent filings is under the “catch-all” provision of the UTPCPL. If proven true, Defendants could be liable under the UTPCPL because the services provided by Defendants were purchased by Plaintiff solely for household or personal purposes. However, Plaintiff also must have alleged and shown a prima facie case for common-law fraud in order for the UTPCPL claim to survive this motion for summary judgment.

In this respect, Plaintiff failed to satisfy his burden. We cannot find anywhere in the numerous documents filed by Plaintiff that Defendants misrepresented anything about the mortgage contract to Plaintiff. The issue appears to revolve around force-placed homeowners’ insurance that Plaintiff alleges Defendants wrongfully purchased on Plaintiff’s behalf. Paragraph 5 of the Mortgage dated December 21, 1999, states the mortgagee had a right to obtain insurance on the homeowner’s behalf if insurance was not properly maintained by the homeowner. The record is simply devoid of any indication that Defendants misrepresented anything about this clause of the mortgage agreement referring to force-placed insurance.

It is well-settled that fraud must be pled with specificity, and to survive a motion for summary judgment the plaintiff must plead and produce facts, beyond mere bald allegations of fraud, sufficient to support a prima facie case for fraud. *See Gruenwald v. Advanced Computer Applications, Inc.*, 730 A.2d 1004 (Pa. Super. 1999). All Plaintiff does in this case is refer to alleged acts of “concealment” and “fraud” perpetrated by Defendants

without explaining what those acts were. Relying on bald assertions of fraud is not sufficient to survive a summary judgment motion.

Plaintiff failed to develop a record that would support a *prima facie* case for common-law fraud despite having over three years to do so. Because proving fraud is an essential element to a claim under the catch-all provision of the UTPCPL, Plaintiff has in turn failed to establish a *prima facie* case for a UTPCPL claim. As a result, we grant Defendants' motion for summary judgment and Plaintiff's claim under Pennsylvania's Unfair Trade Practices and Consumer Protection Law.

**JEANNENE J. SMITH, Appellant v. COMMONWEALTH
OF PENNSYLVANIA, DEPARTMENT OF
TRANSPORTATION, Appellee**

Ignition Interlock System—75 Pa. C.S.A. §3805—75 Pa. C.S.A. §3806.

Appellant was arrested for driving under the influence of alcohol on March 31, 2010 and on May 19, 2010. On November 4, 2010, Appellant pleaded guilty to both violations as first offenses. On January 27, 2011, Appellee sent Appellant two Notices of Suspension, one for each conviction. With regard to the violation of May 19, 2010, the notice advised Appellant that she would be required to have her vehicles equipped with an Ignition Interlock System to have her license restored.

After examining the plain meaning of 75 Pa. C.S.A. §3805, the Court determined that Appellee had the authority to require an Ignition Interlock System only if Appellant had a “prior offense” as of May 19, 2010. Because 75 Pa. C.S.A. §3806 defines a “prior offense” as a “conviction,” the Court concluded that, as of May 19, 2010, Appellant had not been “convicted” of the March 31, 2010 violation. Thus, Appellee did not have the authority to require the Ignition Interlock System, and Appellant’s appeal was granted.

In the Court of Common Pleas of Northampton County, Pennsylvania,
Civil Division—No. C-48-CV-2011-1719.

SAMUEL P. MURRAY, ESQUIRE, for Appellant.

ROBERT J. KOPACZ, ESQUIRE, for Appellee.

Order of Court entered on June 24, 2011 by BELTRAMI, J.

OPINION

This case is before the Court on Appellant’s “Petition for Appeal from Order of Department of Transportation Requiring Ignition Interlock System,” filed on February 24, 2011. A hearing was held on May 12, 2011, at which time the parties offered exhibits into evidence but did not present testimony. Briefs have been submitted and the matter is ready for disposition.

The facts in this case are undisputed. On March 31, 2010, Appellant was arrested for driving under the influence of alcohol, pursuant to Section 3802 of the Vehicle Code, 75 Pa. C.S.A. §3802. On May 19, 2010, Appellant was again arrested for driving under the influence of alcohol.

On November 4, 2010, Appellant pleaded guilty to both violations as first offenses and sentencing was deferred. On December 17, 2010, Appellant was sentenced to a minimum of three days to a maximum of six months in Northampton County Prison, with credit for time spent in inpatient treatment, plus costs, fines and community service. The sentences were made consecutive to each other.

On January 27, 2011, the Department of Transportation (“DOT”) sent Appellant two Notices of Suspension, one for each conviction. With regard to the violation of March 31, 2010, the notice advised Appellant that her

license was suspended for one year, effective March 3, 2011. With regard to the violation of May 19, 2010, the notice advised Appellant that her license was suspended for one year, effective March 3, 2012. The latter notice also advised Appellant that she would be required to have her vehicles equipped with an Ignition Interlock System to have her license restored.

The sole issue raised by Appellant's appeal is whether DOT had the legal authority to require the Ignition Interlock System with regard to Appellant's suspension for the violation that occurred on May 19, 2010.

DOT may require the Ignition Interlock System as a condition of issuing a license "[i]f a person *violates* section 3802 (relating to driving under influence of alcohol or controlled substance) and, within the past ten years, has a *prior offense* as defined in section 3806(a) (relating to prior offenses)." 75 Pa. C.S.A. §3805(a) (emphasis added). Section 3806(a) of the Vehicle Code defines a "prior offense" as follows:

(a) *General rule.*—Except as set forth in subsection (b), the term 'prior offense' as used in this chapter shall mean a *conviction*, adjudication of delinquency, juvenile consent decree, acceptance of Accelerated Rehabilitative Disposition or other form of preliminary disposition before the sentencing on the present violation for any of the following:

- (1) an offense under section 3802 (relating to driving under influence of alcohol or controlled substance);
- (2) an offense under former section 3731;
- (3) an offense substantially similar to an offense under paragraph (1) or (2) in another jurisdiction; or
- (4) any combination of the offenses set forth in paragraph (1), (2) or (3).

75 Pa. C.S.A. §3806(a) (emphasis added).

When the language of a statute is clear, this Court is required to apply its plain meaning. *See Commonwealth v. Stanley*, 498 Pa. 326, 335, 446 A.2d 583, 587 (1982); 1 Pa. C.S.A. §1903. The General Assembly used the term "violates" in Section 3805(a) of the Vehicle Code, 75 Pa. C.S.A. §3805(a). The term "violates" refers to "the date on which the offense took place." *See Commonwealth v. Kimmel*, 523 Pa. 107, 110, 565 A.2d 426, 427 (1989). In this case, the *violation* for which DOT seeks to impose the Ignition Interlock System took place on May 19, 2010. Thus, in applying Section 3805(a), DOT only had authority to require the Ignition Interlock System if Appellant had a "prior offense" as of May 19, 2010. *See* 75 Pa. C.S.A. §3805(a).

The General Assembly used the term "conviction" in defining a "prior offense." *See* 75 Pa. C.S.A. §3806(a). For purposes of the Vehicle Code, "a conviction includes a plea of guilty, a plea of *nolo contendere*, a finding of guilty by a court or an unvacated forfeiture of bail or collateral

deposited to secure a defendant's appearance in court." 75 Pa. C.S.A. §6501(a). Sentencing does not have to occur for a "conviction" to constitute a "prior offense." See 75 Pa. C.S.A. §3806(a). There is no evidence before the Court that *as of May 19, 2010*, Appellant had a "prior offense" as defined by Section 3806(a) of the Vehicle Code. While DOT considered the March 31, 2010 violation to be a "prior offense" in imposing the condition of the Ignition Interlock System in this case, as of May 19, 2010, Appellant had not been "convicted" of the March 31, 2010 violation. Thus, the March 31, 2010 violation could not have triggered Section 3805(a) of the Vehicle Code with regard to the violation that occurred on May 19, 2010.

In sum, for purposes of applying the Ignition Interlock System provisions of the Vehicle Code when presented with two or more Section 3802 DUI violations, DOT may only apply the Ignition Interlock System provisions when the *conviction* on the first violation of Section 3802 occurred *before* the offender committed the subsequent violation of Section 3802. If no conviction on that previous violation had occurred by the time the offender committed the subsequent violation, the offender cannot be required to have any vehicles equipped with an Ignition Interlock System to have a license restored. This interpretation is consistent not only with the plain language of Sections 3805(a) and 3806(a) of the Vehicle Code but also with the reasoning of the Supreme Court and the Commonwealth Court in similar contexts. See *Commonwealth v. Haag*, 603 Pa. 46, 981 A.2d 902 (2009); *Gigous v. Commonwealth, Department of Transportation, Bureau of Driver Licensing*, 4 A.3d 716 (Pa. Commw. 2010). Accordingly, DOT did not have the authority to require the Ignition Interlock System with regard to the suspension imposed for Appellant's violation that occurred on May 19, 2010, and Appellant's appeal will be granted.

WHEREFORE, we enter the following:

ORDER

AND NOW, this 24th day of June, 2011, Appellant's "Petition for Appeal from Order of Department of Transportation Requiring Ignition Interlock System" is hereby GRANTED. The Commonwealth of Pennsylvania, Department of Transportation is hereby precluded from requiring Appellant to install the Ignition Interlock System with regard to the license suspension imposed on Appellant for the violation that occurred on May 19, 2010.

MAY 2012

MON	TUE	WED	THU	FRI
	1 Argument	2 DRS ARD/ Summaries Status	3 Juvenile Arraignments DRS	4 Misc. Hrngs.
7 Juvenile Criminal	8 Criminal	9 Civil Call Criminal	10 Juvenile Criminal	11 Misc. Hrngs.
14 Juvenile Non-Jury	15 Non-Jury	16 Asbestos Pretrials Civil Call Non-Jury	17 Juvenile Arraignments Non-Jury	18 Misc. Hrngs.
21 Juvenile Civil	22 Civil	23 Civil	24 Juvenile Civil	25 Misc. Hrngs. O.C. Audit
28 MEMORIAL DAY (Observed)	29 Juvenile Argument	30 ARD/ Summaries DRS	31 Juvenile DRS Status	

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