

# Northampton County Reporter

(USPS 395-280)

VOL. LIII

EASTON, PA March 18, 2004

NO. 64

**Stacey Heefner, Administratrix of the Estate of Keith H. Lloyd vs. Robert J. Jefferis, Jr., Forgy Trucking, Inc., and Kirk Trucking Service, Inc. vs. Traffic & Pump Solutions, Inc., Commonwealth of Pennsylvania, Department of Transportation, and Lower Nazareth Township**

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INSERT: .....	Yellow		
1) "Individualized Education Plan (IEP) Basics"			
2) Reception for the Court			
3) "Three Perspectives of Zoning Appeal: Municipality, Applicant & Objectors"			

### **UPCOMING NCBA COMMITTEE MEETINGS @ 12:00 P.M.**

March 25<sup>th</sup>—Law Day Committee Mtg. & Lunch

March 26<sup>th</sup>—Workers' Comp Committee Mtg. & Lunch

March 31<sup>st</sup>—Labor & Employment Committee Mtg. & Lunch

April 5<sup>th</sup>—Introduction to the Practice of Law Committee Mtg. & Lunch

**NORTHAMPTON COUNTY BAR ASSOCIATION  
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***Northampton County Reporter***

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Deborah J. Flanagan ..... Attorney Referral

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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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Robert C. Brown, Jr., Esquire

Editor

### **NOTICES TO NCBA MEMBERS—BAR NEWS**

☞ **INCLUDED IN THIS ISSUE** are the names of the three attorneys recently admitted to the NCBA at the March 11<sup>th</sup> Quarterly Association Meeting.

**WELCOME!**

☞ **PLEASE NOTE** if you did not have your picture taken & you wish to include a photo in the 2004 Photo Directory of Attorneys, please mail a photo of *reasonable size* of yourself to the NCBA Office within two weeks of this notice. For your review, proofs from the February photo sessions are still available at the NCBA Office. *The March 12<sup>th</sup> proofs will be ready shortly.*

☞ **INCLUDED IN THIS ISSUE** are the announcements and registration forms for the following events: (1) March 26<sup>th</sup>—“*Reception for the Court.*” (2) April 1<sup>st</sup>—Lunch/Lecture “*Individualized Education Plan (IEP) Basics.*” (3) April 20<sup>th</sup>—Lunch/Lecture “*Three Perspectives of Zoning Appeal: Municipality, Applicant & Objectors.*”

☞ **INCLUDED IN THIS ISSUE** is a list of decisions regarding appeals from the courts of common pleas that the Commonwealth Court has addressed.

#### **☞ ANNOUNCEMENTS (NCBA Future Events)**

**April 22<sup>nd</sup>—TAKE YOUR SONS & DAUGHTERS TO WORK DAY—NCGC**

**May 13<sup>th</sup>—Lunch/Lecture—“*Medical Assistance/Estate Recovery*”**

**May 20<sup>th</sup>—Lunch/Lecture—“*Workers’ Comp Step 1*”**

**June 10<sup>th</sup>—Lunch/Lecture—“*Estate Planning*”**

**September 23<sup>rd</sup>—Lunch/Lecture—“*Workers’ Comp Step 2*”**

**October 14<sup>th</sup>—Lunch/Lecture—“*Corporation, Banking & Business Law*”**

**October 29<sup>th</sup>—Lunch/Lecture—“*Workers’ Comp Judges Seminar & Reception*”**

☞ **See front page for upcoming Committee Meetings!**

☞ **Use the WEBSITE for announcements and registration forms!**

**PBI/CLE SEMINAR @ NCBA—Friday, April 2, 2004—9:30 a.m. to 2:00 p.m.—**

**4/0 CLE Credits “*The Nuts and Bolts of Adoption Practice.*” Register early by calling (800) 932-4637 or go online at [www.pbi.org](http://www.pbi.org)**

#### **☞ BAR ASSOCIATION OF LEHIGH COUNTY**

##### **SPONSORED SEMINARS FOR 2004:**

**[March 24<sup>th</sup>—“*Predatory Lending*”] [April 7<sup>th</sup>—“*The Ins & Outs of the PA Disciplinary System*”] [April 20<sup>th</sup>—“*Basic International Trade Law*”] Call BALC for details such as times, fees, credits, meals and/or to register at (610) 433-6401, ext. 16.**

## **WELCOME NEW MEMBERS**

At the March 11th, Quarterly Association Meeting, three (3) attorneys were admitted to the Northampton County Bar Association.

\*\*\*\*\*

**Andrew H. Ralston, Jr.** is with the Law Firm of Gross, McGinley, LaBarre & Eaton LLP. He is originally from Allentown, PA. Attorney Ralston attended Wake Forest University and Dickinson School of Law.

**Paul M. Schaffer** is with the Law Firm of Jacobs & Associates. He is originally from Allentown, PA. Attorney Schaffer attended the University of Pittsburgh in Johnstown and Ohio Northern University School of Law.

**Joshua Keith Waller** is a Law Clerk for the Honorable Jack A. Panella, Pennsylvania Superior Court. He is originally from Lancaster, PA. Attorney Waller attended Syracuse University and Catholic University of America School of Law.

# **WELCOME!**



**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****BRASCH, CLARENCE F.,** dec'd.

Late of the Township of Williams, Northampton County, PA

Executor: David Ferguson c/o Holly V. Calantoni, Esquire, 451 Main Street, Bethlehem, PA 18018

Attorney: Holly V. Calantoni, Esquire, 451 Main Street, Bethlehem, PA 18018

**CABASIN, CARL A.,** dec'd.

Late of Moore Township, Northampton County, PA

Executrix: Nancy Shappelle, 838 Colonna Lane, Nazareth, PA 18064

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

**DRISKO, JOHN B.,** dec'd.

Late of Nazareth, Northampton County, PA

Executor: David K. Gardner c/o Judith A. Harris, Esquire, Tallman, Hudders & Sorrentino, P.C., The Paragon Centre, 1611 Pond Road, Suite 300, Allentown, PA 18104-2258

Attorneys: Judith A. Harris, Esquire, Tallman, Hudders & Sorrentino, P.C., The Paragon Centre, 1611 Pond Road, Suite 300, Allentown, PA 18104-2258

**FONTANELLA, VALENTINE R. a/k/a VALENTINE RUSSELL FONTANELLA,** dec'd.

Late of the Township of Upper Mt. Bethel, Northampton County, PA

Co-Executors: Brenda J. Brobst and Carl A. Fontanella c/o McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, Bangor, PA 18013  
Attorneys: McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, Bangor, PA 18013

**HALEWICH, OLGA,** dec'd.

Late of 326 Spruce Street, Hellertown, Northampton County, PA

Co-Executrices: Esther R. Rodriguez and Louise M. Lee c/o Lawrence M. Klemow, Esquire, Glassberg and Klemow, 81 North Laurel Street, Hazleton, PA 18201

Attorneys: Lawrence M. Klemow, Esquire, Glassberg and Klemow, 81 North Laurel Street, Hazleton, PA 18201

**KUHAR, CHARLES A.,** dec'd.

Late of Bethlehem, Northampton County, PA

Personal Representative: Beverly A. Kuhar c/o Peter P. Perry, Esquire, 1600 Lehigh Parkway East, 1E, Allentown, PA 18103

Attorney: Peter P. Perry, Esquire, 1600 Lehigh Parkway East, 1E, Allentown, PA 18103

**SCHAEFFER, CATHERINE E.,**  
dec'd.

Late of the Township of Palmer, Northampton County, PA  
 Executrix: Catherine A. Schaeffer Staples c/o James J. Narlesky, Esquire, 717 Washington Street, Easton, PA 18042

Attorney: James J. Narlesky, Esquire, 717 Washington Street, Easton, PA 18042

**STREOPY, WILLIAM M., JR.**  
**a/k/a WILLIAM M. STREOPY**  
**a/k/a WILLIAM STREOPY,**  
dec'd.

Late of the City of Easton, Northampton County, PA  
 Co-Executors: E. Eleanor Streopy, 178 Charles Street, Easton, PA 18042 and Harold A. Streopy, 152 Aurora Street, Phillipsburg, NJ 08865

Attorney: Paul J. Harak, Esquire, 1216 Linden Street, P.O. Box 1409, Bethlehem, PA 18016

**SECOND PUBLICATION****ANDRETTI, RINA,** dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executor: Mario Andretti c/o Raymond J. DeRaymond, Esquire, 717 Washington Street, Easton, PA 18042-4386

Attorney: Raymond J. DeRaymond, Esquire, 717 Washington Street, Easton, PA 18042-4386

**BRENNAN, THOMAS F. a/k/a**  
**THOMAS F. BRENNAN, SR.,**  
dec'd.

Late of the Township of Upper Mt. Bethel, Northampton County, PA

Executrix: Deborah Ann Campbell 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

**CLADER, ARLENE L.,** dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Janet A. Davies c/o Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, Suite 508, Wachovia Bank Building, 6 South Third Street, Easton, PA 18042

Attorneys: Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, Suite 508, Wachovia Bank Building, 6 South Third Street, Easton, PA 18042

**CUBBAGE, EUGENE H.,** dec'd.

Late of the Township of Palmer, Northampton County, PA  
 Executrix: Claire L. Green c/o Ralph W. Litzenberger, Esquire, 1708 Northampton Street, P.O. Box 3272, Easton, PA 18043-3272

Attorney: Ralph W. Litzenberger, Esquire, 1708 Northampton Street, P.O. Box 3272, Easton, PA 18043-3272

**FELKER, ELEANOR I.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA  
 Executor: John D. Felker c/o Mary Ann Snell, Esquire, 915 West Broad Street, Bethlehem, PA 18018

Attorney: Mary Ann Snell, Esquire, 915 West Broad Street, Bethlehem, PA 18018

**KARAFFA, MATTHEW M.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA  
 Executor: Mark Karaffa c/o Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018

Attorney: Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018

**LOHMAN, EDITH MAE a/k/a EDITH M. LOHMAN,** dec'd.

Late of the Borough of East Bangor, Northampton County, PA

Executrix: Miriam Eichlin c/o McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, Bangor, PA 18013  
 Attorneys: McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, Bangor, PA 18013

**MORROW, THOMAS E.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA  
 Executor: Robert A. Morrow c/o Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018

Attorney: Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018

**OLAY, HILDA M.,** dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Marvin Hoffman c/o E. Keller Kline, III, Esquire, Kline and Kline, 731 Turner Street, Allentown, PA 18102  
 Attorneys: E. Keller Kline, III, Esquire, Kline and Kline, 731 Turner Street, Allentown, PA 18102

**ORWIG, CLARENCE D., JR. a/k/a CLARENCE ORWIG, JR.,** dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Gloria M. Orwig c/o Littner, Deschler & Littner, P.O. Box 1407, 512 N. New Street, Bethlehem, PA 18018  
 Attorneys: Littner, Deschler & Littner, P.O. Box 1407, 512 N. New Street, Bethlehem, PA 18018

**SILFIES, ANNA L.,** dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Roberta Silfies Keller c/o Kevin Frank Danyi, Esquire, Danyi Law Offices, P.C., 133 East Broad Street, Bethlehem, PA 18018  
 Attorneys: Kevin Frank Danyi, Esquire, Danyi Law Offices, P.C., 133 East Broad Street, Bethlehem, PA 18018

**WISMER, ARLENE C. a/k/a ARLENE WISMER,** dec'd.

Late of Upper Nazareth Township, Northampton County, PA

Co-Executrices: Kathryn J. Wiesner, 13 34 Roma Rd., Hanahan, SC 29406 and Glenna A. Abrams, 945 Renaldi Dr., Wind Gap, PA 18091  
 Attorney: Charles S. Smith, Esquire, 340 Dogwood Terrace, Easton, PA 18040-1228

**THIRD PUBLICATION****BARTLEY, JANIS M. a/k/a JANIS MICHELLE BARTLEY,** dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executrix: Marie Ann Casale  
c/o Stanley M. Vasiliadis, Es-  
quire, 65 East Elizabeth Av-  
enue, Suite 400, Bethlehem,  
PA 18018

Attorney: Stanley M. Vasil-  
iadis, Esquire, 65 East Eliza-  
beth Avenue, Suite 400, Beth-  
lehem, PA 18018

**BRAUN, GUSTAV FREDRIC  
a/k/a G. FREDRIC BRAUN  
a/k/a FREDRIC BRAUN,**  
dec'd.

Late of Nazareth, Northamp-  
ton County, PA

Executor: Thomas N. Braun  
c/o Mark S. Refowich, Esquire,  
754 Walnut Street, Easton, PA  
18042

Attorney: Mark S. Refowich,  
Esquire, 754 Walnut Street,  
Easton, PA 18042

**GOMBAR, ELMER a/k/a EL-  
MER S. GOMBAR,** dec'd.

Late of Hellertown, Northamp-  
ton County, PA

Executor: Douglas S. Gombar  
c/o Kristofer M. Metzger, Es-  
quire, 42 N. 6th Street, Allen-  
town, PA 18101-1419

Attorney: Kristofer M. Metzger,  
Esquire, 42 N. 6th Street,  
Allentown, PA 18101-1419

**HILL, JUNE H.,** dec'd.

Late of Hellertown, Northamp-  
ton County, PA

Co-Executors: James R. Hill  
and John R. Hill c/o Bradford  
D. Wagner, Esquire, 662 Main  
Street, Hellertown, PA 18055-  
1726

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

**KOHLER, MARY,** dec'd.

Late of Easton, Northampton  
County, PA

Co-Executors: Maryann E.  
Corona and Joseph P. Corona,  
Jr., 4053 Farmersville Rd.,  
Easton, PA 18045

**LURSKI, FLORENCE D. a/k/a  
FLORENCE LURSKI,** dec'd.

Late of the Township of Beth-  
lehem, Northampton County,  
PA

Executor: Michael V. Lurski,  
2941 Nijaro Road, Bethlehem,  
PA 18020

Attorney: Richard F. Boyer,  
Esquire, 1216 Linden Street,  
P.O. Box 1409, Bethlehem, PA  
18016

**MAINS, WILMA a/k/a WILMA  
M. MAINS,** dec'd.

Late of the City of Easton,  
Northampton County, PA

Executrix: Shawn M. Flyte,  
435 Bangor Junction Road,  
Bangor, PA 18013

**MATTHEWS, ANNA MARIE,**  
dec'd.

Late of the Borough of Stock-  
ertown, Northampton County,  
PA

Administrator: Russell W.  
Matthews, Jr., 116 Winona  
Street, Stockertown, PA 18083

Attorney: Gary Neil Asteak,  
Esquire, 726 Walnut Street,  
Easton, PA 18042

**ROTH, EUGENE,** dec'd.

Late of Bethlehem, Northamp-  
ton County, PA

Executor: Stuart M. Roth c/o  
E. Keller Kline, III, Esquire,  
Kline and Kline, 731 Turner  
Street, Allentown, PA 18102

Attorneys: E. Keller Kline, III,  
Esquire, Kline and Kline, 731  
Turner Street, Allentown, PA  
18102



**STEINMETZ, LUCRETIA G.,**  
dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Co-Executrices: Shirley S. Takacs and Joan L. Grabner c/o Herster, Newton & Murphy, 127 N. 4th St., P.O. Box 1087, Easton, PA 18044-1087  
Attorneys: Herster, Newton & Murphy, 127 N. 4th St., P.O. Box 1087, Easton, PA 18044-1087

**STEWART, ROBERT D.,** dec'd.

Late of the Township of Lehigh, Northampton County, PA

Executor: Dean C. Berg, Esquire, G. M. Berg Law Offices, P.O. Box 10, Northampton, PA 18067

Attorneys: Dean C. Berg, Esquire, G. M. Berg Law Offices, P.O. Box 10, Northampton, PA 18067

**TANZOS, MARY JANE,** dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Kathleen Bossert c/o Mary Ann Snell, Esquire, 915 West Broad Street, Bethlehem, PA 18018

Attorney: Mary Ann Snell, Esquire, 915 West Broad Street, Bethlehem, PA 18018

**VARGA, ARTHUR S.,** dec'd.

Late of Plainfield Township, Northampton County, PA

Administratrix: Elaine C. Varga c/o Ralph J. Bellafatto, Esquire, 4480 William Penn Highway, Easton, PA 18045  
Attorney: Ralph J. Bellafatto, Esquire, 4480 William Penn Highway, Easton, PA 18045

**NOTICES OF INCORPORATION**

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, on February 13, 2004, for the purpose of obtaining a Certificate of Incorporation of a proposed business corporation to be organized under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended (15 Pa.C.S. §1306).

The name of the proposed corporation is:

**AT PIECE QUILTERY, INC.**

Steven N. Goudsouzian, Esquire  
2925 William Penn Highway  
Suite 301  
Easton, PA 18045-5283  
(610) 253-9171

Mar. 18

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed by:

**FUN TIME DAY CARE AND LEARNING CENTER, INC.**

with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, under the provisions of the Business Corporation Law of 1988.

JEROME B. FRANK, ESQUIRE  
KING, SPRY, HERMAN, FREUND  
& FAUL, LLC

1 West Broad St.  
Bethlehem, PA 18018

Mar. 18

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, on January 12, 2004, for the purpose of obtaining a Certificate of Incorporation of a proposed business corporation to be

organized under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended (15 Pa.C.S. §1306).

The name of the proposed corporation is:

**PICKEL'S GARAGE, INC.**

Steven N. Goudsouzian, Esquire  
2925 William Penn Highway  
Suite 301  
Easton, PA 18045-5283  
(610) 253-9171

Mar. 18

**FICTITIOUS NAME  
REGISTRATION NOTICE**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act 295 of 1982 (54 Pa. C.S.A. Sec. 311(g) et seq.), of the filing in the Office of the Secretary of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania, under the assumed or fictitious name, style or designation of:

**KING HENRY'S POCONO  
DAY SHOWS**

with its principal place of business at: 1855 Fairview Avenue, Easton, PA 18042.

The name and address of the person owning or interested in said business is: Henry Casella, 1855 Fairview Avenue, Easton, PA 18042.

The certificate was filed on February 17, 2004.

JOSEPH J. PIPERATO, III,  
ESQUIRE

BENNER AND PIPERATO

2005 City Line Road  
Suite 106  
Bethlehem, PA 18017  
(610) 867-3900

Mar. 18

**NOTICE OF NONPROFIT  
INCORPORATION**

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed on February 24, 2004, with

the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of incorporating a nonprofit corporation pursuant to the provisions of the Nonprofit Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended.

The corporation is incorporated exclusively for tax-exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding provisions of any future United States Internal Revenue Law, specifically to foster and promote community service activities in and about the Bethlehem, Pennsylvania area.

The name of the nonprofit corporation is:

**BETHEHEM ROTARY  
FOUNDATION**

Paul A. Florenz, Esquire  
Kolb, Vasiliadis & Florenz  
74 West Broad Street  
Suite 170  
Bethlehem, PA 18018-5738

Mar. 18

**NOTICE OF ANNUAL MEETING  
OF POLICYHOLDERS**

The One hundred and Seventy-Second Annual Meeting of the Policyholders of the Saucon Mutual Insurance Company will be held in the Hotel Bethlehem, 437 Main Street, Bethlehem, PA on:

Monday, April 12, 2004  
at 3:30 o'clock P.M.

for the election of Directors, appointment of an Auditor, receiving annual reports and the transaction of such other business as may properly be presented.

Timothy J. Swartz  
Vice President/Secretary  
1605 W. Broad Street  
Bethlehem, PA 18018-6419

Mar. 4, 11, 18

**LEGAL SECRETARY**

Post & Schell, P.C. has an immediate opening for an experienced legal secretary in our Allentown Office. Excellent salary and benefits package. Please e-mail your resume and cover letter to:

mcahalan@postschell.com

or fax to (610) 433-3972.

Mar. 11, 18

**LEGAL SECRETARY**

Full-time experienced legal secretary for Bethlehem Law Office. Competitive salary. Computer skills essential. Real estate and/or bankruptcy background preferred. Please fax resume to (610) 882-2588.

Mar. 18, 25

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

The following real estate will be sold by the Sheriff of Northampton County, Pennsylvania, on April 8, 2004 at ten o'clock a.m. in the COUNCIL CHAMBERS, FOURTH 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. 2****BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2003-008147**

ALL THAT CERTAIN piece, parcel or tract of land lying and being in the Borough of Wind Gap, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the North side of Fairview Avenue, said

point being distant thirteen and thirty-three one hundredths (13.33) feet measured Westwardly from the Southeast corner of Lot No. 453, as per "Plan of Parkside", made by Dr. J.C. Keller, and recorded in the Office for the Recording of Deeds in and for the County of Northampton at Easton, Pennsylvania, in Map Book No. 3, page 37, and said point also being distant three hundred and eighty-three hundredths (300.83) feet measured Westwardly along the North side of said Fairview Avenue from the Northwest corner of Fairview Avenue and Burdette Avenue; thence along the North side of said Fairview Avenue Westwardly fifty-three and thirty-three one hundredths (53.33) feet to a point and other land of the grantors; thence along other land of the grantors Northwardly one hundred twenty (120) feet to a point in the South side of Oak Alley; thence along the South side of Oak Alley Eastwardly fifty-three and thirty-three one hundredths (53.33) feet to a point in Oak Alley distant thirteen and thirty-three one hundredths (13.33) feet measured Westwardly from the Northeast corner of lot No. 453; thence in a line parallel to and thirteen and thirty-three one hundredths (13.33) feet distant from the Eastern boundary line of Lot No. 453 Southwardly one hundred twenty (120) feet to the place of Beginning.

CONTAINING part of lot No. 453, and part of Lot No. 454 of that certain "Plan of Parkside", as recorded in Map Book Vol. 3, page 37, in the Office for the Recording of Deeds, Maps, Mortgages, at Easton, Pa.

TITLE TO SAID PREMISES IS VESTED IN John S. Duvall by Deed from John S. Duvall and Lisa M. Duvall dated 5/20/1999 and re-

corded 6/9/1999 in Volume 1999-1, Page 085148.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: E8SW4B-10-12.

BEING KNOWN AS 222 Fairview Avenue, Wind Gap, Pennsylvania.

THEREON BEING ERECTED a ranch style dwelling with aluminum siding exterior and shingle roof; detached garage.

SEIZED AND TAKEN into execution of the writ as the property of John S. Duvall.

FRANK FEDERMAN, ESQUIRE

**No. 3**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2002-008663**

ALL THAT MESSUAGE, tenement and lot or piece of land situated in the south side of Butler Street, in the City of Easton, County of Northampton and State of Pennsylvania, bounded as described as follows, to-wit:

BEGINNING at a point in the south property line of Bulter Street in line of lot of Horace Lehr, said point being distant nineteen and fifty-eight hundredths (19.58) feet westwardly from the intersection of the west property line of South 12th Street with the south property line of Bulter Street; THENCE (1) along the lot of Horace Lehr, along the west side of a brick wall and the east side of a two and forty hundredths (2.40) foot wide private alley to be used jointly by Blaine J. Williams and Mary E. Williams, grantees herein, and Horace Lehr, South six degrees thirty minutes West seventy four and thirty three feet (S 6° 30' W 74.33') to a point; THENCE (2) continuing along lot of Horace Lehr and along the north side of a brick wall, North eighty three degrees thirty minutes West sixteen

and ninety-seven hundredth feet (N 83° 30' W 16.97') to a point; THENCE (3) along Butler Street and passing partly through the middle of a party wall, North six degrees thirty minutes East seventy-four and thirty-three hundredths feet (N 6° 30' E 74.33') to a point in the south property line of Butler Street; THENCE (4) along the south property line of Butler Street, South eighty-three degrees thirty minutes East sixteen and ninety-seven hundredths feet (S 83° 30' E 16.97') to the point or place of beginning.

ADDRESS: 1200 Butler St., Easton, PA 18042; TAX MAP OR PARCEL ID NO.: L9SE4A-1-18.

THEREON BEING ERECTED a two and one-half story row dwelling with brick and aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property Daniel Stillwell.

CORINA M. CANIZ, ESQUIRE

**No. 4**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-006869**

ALL THAT CERTAIN tract or piece of land situate and lying in the Township of Upper Mt. Bethel, in the County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING in the public road leading from the Delaware Water Gap to Portland; THENCE along said road, North twenty degrees West fifty feet to a corner; THENCE by lands late of Mathias Hallet, North seventy degrees East eighty-one feet to a corner; THENCE by land of the Delaware, Lackawanna and Western Railroad Company, South twenty degrees East fifty feet to a corner; THENCE by land late of

William Fox, South seventy degrees West eighty-one feet to the place of beginning.

CONTAINING four thousand fifty feet.

ALSO KNOWN AS Northampton County Uniform Parcel No.: Map: B11NE1 Block: 4 Lot: 4.

BEING KNOWN AS: 655 Slateford Road, Mount Bethel, PA 18343.

PROPERTY ID NO.: B11NE1-4-4.

TITLE TO SAID PREMISES IS VESTED IN Matthew H. Ruch by Deed from Associates Consumer Discount Company dated 05/25/99 recorded 08/06/99 Book 1999-1 Page 120178.

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

SEIZED AND TAKEN into execution of the writ as the property of Matthew H. Ruch and Catherine Ruch.

MARK J. UDREN, ESQUIRE

**No. 7  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-007301**

All that certain lot or parcel of land situate in Bethlehem Township, Northampton County, Pennsylvania, designated as Lot No. 6, Block A, according to Map or Plan entitled "Windy Knob, Tract No. 1" prepared by William N. Strobel, C. E., dated November 6, 1969 and recorded in Plan Book 31, page 1, Northampton County Records.

Being known as 2537 Tenth Street, Bethlehem, Pennsylvania.

BEING the same premises which James R. Browne and Phyllis A. Browne, husband and wife, by Deed dated January 19, 1983, and re-

corded July 8, 1983, in Book 652, Page 153, granted and conveyed unto Lawrence J. Kahl and Margaret J. Kahl, husband and wife, in fee.

N7NE1-40-6.

THEREON BEING ERECTED a ranch style dwelling with attached garage, brick and aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Lawrence J. Kahl and Margaret J. Kahl.

CHRISTOPHER A. DENARDO,  
ESQUIRE

**No. 8  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-004872**

ALL THAT CERTAIN tract or parcel of land situate in the Borough of Pen Argyl, County of Northampton and State of Pennsylvania and more particularly designated as Lot No. (6), Number Six in Block No. (19) Number Nineteen, as shown on a Plan or Map entitled "Slateland View" and filed in the Office of the Recording of Deeds in the City of Easton, in Map Book No. (2) Two, Page (70) Seventy, said lot being more particularly described as follows, viz:

HAVING a frontage of Lobb Avenue fifty (50) feet and extending that same width in depth Westerly one hundred feet (100) more or less to Lot No. (3) Number Three, in Block aforesaid shown on said Map or Plan.

TITLE TO SAID PREMISES IS VESTED IN Dale P. Jacoby and Jacqueline M. Jacoby, husband and wife by Deed from Karen S. Turner, dated 6/17/1995 and recorded 6/20/1995 in Volume 1995-1, Page 53582.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: E8NE2A-10-3.

BEING KNOWN AS 315 North Lobb Avenue, Pen Argyl, Pennsylvania.

THEREON BEING ERECTED a two story single dwelling with vinyl siding exterior and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of Dale P. Jacoby and Jacqueline M. Jacoby.

FRANK FEDERMAN, ESQUIRE

**No. 9**

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2003-008031**

ALL THAT CERTAIN brick house and lot or piece of land situate on the North side of Ferry Street, in the City of Easton, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the North side of Ferry Street sixteen feet eight inches (16' 8") East of the East building line of Elder Street, thence extending East along the North side of said Ferry Street sixteen feet eight inches (16' 8") to property of John F. Berkey, and extending Northwardly of that same width in depth one hundred and eleven feet (111') to a four foot wide private alley, bounded on the North by said alley, on the East by property of John F. Berkey, and on the South by said Ferry Street, and on the West by property of Joseph H. Berkey.

TITLE TO SAID PREMISES IS VESTED IN Vanessa Gardner by Deed from Fred Davis, Sr. dated 8/31/2001 and recorded 10/29/2001 in Record Book Volume 2001-1 Page 226158.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SE1A-27-27.

BEING KNOWN AS 1125 Ferry Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Venessa Gardner a/k/a Vanessa Gardner.

FRANK FEDERMAN, ESQUIRE

**No. 10**

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2003-006044**

ALL THAT CERTAIN messuage, tenement and parcel of land or lot situate in Lehigh Township, Northampton County, and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin on the westerly side of Morris Avenue; thence along lands of Ralphlongenbach North sixty-eight (68) degrees, twenty-six (26) minutes West, twenty-eight and 7/100 (28.07) feet to an iron pin and North twenty-three (23) degrees thirty-three (33) minutes West, one hundred sixty-seven and 78/100 (167.78) feet to an iron pin; thence through lands of Midland Farms, Inc. South fifty-seven (57) degrees, twenty (20) minutes East, one hundred fifty-seven and 90/100 (157.90) feet to an iron pin on the westerly side of the aforementioned Morris Avenue; thence along the westerly side of same South thirty (30) degrees, two (02) minutes West, twenty-five and 0/100 (25.0) feet to an iron pin and South twenty-five (25) degrees, twenty-eight (28) minutes West, sixty-three and 42/100 (63.42) feet to the place of BEGINNING.

BEING the same premises which Jordon O. Murphy, the surviving husband of Elder R. Murphy, by Deed dated January 6, 1994 and recorded in the Recorder of Deeds of Northampton County on January 7, 1994 in Deed Book Volume 1994-4, page 609, granted and conveyed unto Stephen E. Unger and Alyce M. Unger, husband and wife.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: H2-17-8.

BEING KNOWN AS 4328 West Mountain View Drive, Walnutport, Pennsylvania.

THEREON BEING ERECTED a two story single dwelling with block and wood exterior and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of Stephen E. Unger and Alyce M. Unger.

DANIEL J. BIRSIC, ESQUIRE

**No. 11**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2001-001209**

ALL THAT CERTAIN message and lot or piece of land situate on the South side of Berwick Street in the City of Easton (South side) in the County of Northampton and State of Pennsylvania, containing in front on said Berwick Street forty-four (44) feet and extending in depth of that width Southward between lines running parallel with Iron Street one hundred and forty (140) feet to a twenty (20) feet wide alley.

BOUNDED on the east by part of Lots No. 32, on the South by said twenty (20) feet wide alley, on the West by Lot No. 34; and on the North by Berwick Street aforesaid.

BEING Lot No. 33 and part of Lot No. 32 on the plan of lots laid out by James McKean, and the same premises known as No. 934 Berwick Street, Easton, Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Janson R. Howell and Apryl S. Howell, his wife by Deed from Jay A. Miller and Anita R. Miller, his wife dated 12/26/90 and recorded 12/26/90 in Deed Book 819, Page 448.

AND THE SAID Janson Howell and Apryl Howell were divorced from the bonds of matrimony in Docket 1997-C-08990 on 2/18/99.

AND THE SAID Apryl Howell filed on Election to retake her prior name of Apryl Susan Lightcap on 3/10/99.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: M9NE1A-6-4.

BEING KNOWN AS 934 West Berwick Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Janson R. Howell and Apryl S. Howell a/k/a Apryl Susan Lightcap.

FRANK FEDERMAN, ESQUIRE

**No. 12**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-007295**

ALL THAT CERTAIN message and lot or piece of ground, situate in the City of Bethlehem, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the southern line of East Fourth Street a distance of eighty (80) feet from the intersection of the western line of Atlantic Street with the southern line of East Fourth Street and THENCE extending southwardly and parallel with Atlantic Street a distance of one hundred seven (107) feet to a point in line with or late of

Otto Tachovsky, THENCE extending eastwardly and parallel with East Fourth Street, a distance of twenty (20) feet to a point in lands now or late of Edgar Madden, THENCE extending northwardly and parallel with Atlantic Street a distance of one hundred seven (107) feet to a point in the southern line of East Fourth Street, THENCE extending westwardly along the southern line of East Fourth Street, a distance of twenty (20) feet to a point the place of beginning, being known as #746 East Fourth Street.

Parcel No. P6SE2A-20-20.

BEING KNOWN AS: 746 East 4th Street, Bethlehem, PA 18015.

PROPERTY ID NO.: P6SE2A-20-20.

TITLE TO SAID PREMISES IS VESTED IN Kelly Stahler by Deed from Edward R. Foster dated 08/01/02 recorded 08/13/02 Book 2002-1 Page 213417.

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

SEIZED AND TAKEN into execution of the writ as the property of Kelly Stahler.

MARK J. UDREN, ESQUIRE

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**No. 13**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-007462**

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, known as 125 Grant Street, situate in the City of Easton, County of Northampton and State of Pennsylvania, described as follows:

BEGINNING at a point on the north side of Grant Street at the distance of 150 feet east of the northeast corner of the building line of Grant Street and St. John Street,

THENCE in an easterly direction along Grant Street 50 feet to a point; THENCE in a northerly direction at right angles to Grant Street 137 feet, more or less, to a point on the building line of Young Street; THENCE in a westerly direction along Young Street 50 feet to a point, a corner of lands now or late of Donald Bedell; THENCE extending in a southerly direction along line now or late of Bedell's land a distance of 137 feet, more or less, to the point and place of beginning, being Lot No. 4 of Shapiro and Son Tract.

BEING THE SAME PREMISES WHICH John F. Gier and Lillian Gier, h/w by deed dated August 20, 1993 and recorded September 2, 1993 in the Recorder's Office in and for Northampton County, Pennsylvania in Deed Book 908, Page 240, granted and conveyed unto John F. Gier and Lillian Gier, h/w, the mortgagor's herein.

MAP: M9NE2B LOT: 8 BLOCK: 6.

PROPERTY ID NO.: M9NE2B-8-6.

PROPERTY ADDRESS—125 GRANT STREET, EASTON, PA 18042.

THEREON BEING ERECTED a cape cod dwelling with brick and aluminum siding exterior and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of John F. Gier and Lillian Gier.

BONNIE DAHL, ESQUIRE

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**No. 15**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-006963**

ALL THAT CERTAIN house and lot or piece of ground with the dwelling thereon erected, known as No. 1317 Washington Street, situated on



the North side of Washington Street, in the City of Easton, Northampton County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the north building line of Washington Street aforesaid, distant seventy-three feet (73 ft.) East of Peach Alley; thence East along said Washington Street, twenty-one feet (21 ft.) to a point in line of land now or late of William Reinbold; thence North along said Reinbold's land one hundred twenty-eight feet three inches (128 ft. 3 in.) to a ten foot (10 ft.) wide alley; thence West along said alley, twenty-one feet (21 ft.) to lands now or late of L. J. Coleman; thence South one hundred twenty-eight feet three inches (128 ft. 3 in.) to point of BEGINNING.

BEING COUNTY TAX PARCEL NUMBER L9SW2C-24-14.

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

SEIZED AND TAKEN into execution of the writ as the property of Gary C. Cunningham.

JEFFREY G. TRAUGER,  
ESQUIRE

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**No. 16**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-000247**

ALL THAT CERTAIN lot or piece of ground with the messuage or tenement thereon erected, designated as Lot No. 23 on the plan of lots of Elmwood Park situate in the City of Bethlehem, Bethlehem, Pennsylvania, which is recorded in the Office of the Recorder of Deeds for Northampton County in Map Book 6, Page 27.

BEGINNING at a point in the westwardly side of Dellwood Street at the distance of 230 feet northward from the northwest corner of Dellwood and Union Streets and being on the party line between Nos. 821 and 823 Dellwood Street; THENCE extending westwardly along the said party line 74 feet to a point in the eastwardly line of a 12 foot wide alley leading from Union Street northward into Geopp Street; THENCE extending northward along the eastwardly line of said alley 20 feet to a point in the party line between Nos. 823 and 825 Dellwood Street; THENCE eastward along the said party line 74 feet to a point in the westwardly line of Dellwood Street; THENCE southward along the westwardly line of Dellwood Street 20 feet to a point in the party line between Nos. 823 and 821 Dellwood Street, the place of beginning.

BEING NO. 823 Dellwood Street, Bethlehem, Pennsylvania.

IT BEING THE SAME PREMISES WHICH Jane E. Beers, single, by deed dated September 27, 1999 and recorded in the Office for the Recording of Deeds in and for the County of Northampton at Easton, Pennsylvania in Volume 1999-1, Page 147793, did grant and convey unto Joshua T. Compos and Heather N. Compos, grantors herein.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: P6NE2A-10-6.

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

SEIZED AND TAKEN into execution of the writ as the property of Kimberly V. Dans.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 17**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-007934**

ALL THAT CERTAIN parcel of land with dwelling erected thereon, situate in the City of Easton, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the south line of Milton Street, the said point being 200.00 feet eastwardly from the intersection of the south line of Milton Street and the east line of Iron Street. THENCE along the south line of Milton Street in an eastwardly direction for a distance of 40.00 feet and extending southwardly of that same width and at right angles to the south line of Milton Street a depth of 68.35 feet to other land now or late of Helen J. Derenzis. Bounded on the north by Milton Street, on the east by land now or late of James Anderson, on the south by other land now or late of Helen J. Derenzis and on the west by land now or late of Daniel Mullen.

ALSO KNOWN AS Northampton County Uniform Parcel Identifier: Map M 9NE1A Block 18 Lot 9.

BEING THE SAME PREMISES WHICH Michael E. Masterson and Maureen J. Masterson, his wife, by deed dated May 25, 1990, and recorded in the Recorder of Deeds Office of Northampton County, Pennsylvania, in Deed Book Volume 801, Page 409, granted and conveyed unto Mark J. Gorris, single, the grantor herein.

EXCEPTING AND RESERVING unto Kedrick Fulmer, his heirs and assigns, the right, use and privilege to use, maintain and connect to the sanitary sewer and water lines lo-

cated on the within premises which lines connect in turn to water and sanitary sewer lines of the City of Easton, Pennsylvania, all as more fully set forth in an indenture from Richard N. Dezenzis and Jean Dezenzis, his wife, to the said Kenrick Fulmer, dated October 28, 1974, and recorded in the Office of the Recorder of Deeds in and for Northampton County, Easton, Pennsylvania in Misc. Book 236, Page 356.

Vested by: Deed dated 5/28/92, given by Mark J. Gorrie and Karen M. Gorrie, his wife to Walter W. Dodge sad Marie Dodge, his wife recorded 6/05/92 in Book: 865 Page 152.

BEING KNOWN AS 822 West Milton Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Walter W. Dodge and Marie Dodge.

FRANK FEDERMAN, ESQUIRE

**No. 18**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2001-006924**

ALL THAT CERTAIN lot, piece or parcel of land, Situate in the Township of Palmer, County of Northampton, Commonwealth of Pennsylvania, more fully bounded and described as follows, to wit:

BEGINNING at a point, the Northwesterly corner of the intersection of Northwood Avenue and Easton-Tatamy Road; thence by a line along the Northerly side of Northwood Avenue 16.50 feet Northerly of the centerline thereof, North 83 degrees 51 minutes West 220.65 feet to a point; thence by

the Easterly line of Lot #47 as shown on the Plan of Lots late of David M. Huhn, recorded in Map Book 9 page 64, North 08 degrees 09 minutes West 59.45 feet to a point; thence through Lot #2 according to the aforesaid Plan, North 81 degrees 51 minutes East 215.0 feet to a point on the Westerly side of the Easton-Tatamy Road, said point being distant 365.61 feet by the said side of Easton-Tatamy Road on the course South 09 degrees 01 minute East from the Southwesterly corner of Hillcrest Avenue and Tatamy Road; thence by the Westerly side of Tatamy Road, 20.00 feet West-erly of the centerline thereof, South 09 degrees 01 minute East 114.39 feet to a point; the place of beginning.

BEING all of Lot #1 and the Southerly 9.39 feet to Lot #2 according to the aforesaid Plan of Lots late of David M. Huhn with additional land along the West side of the Easton-Tatamy Road and also along the North side of Northwood Avenue as is set forth on a plan of which lots prepared for Walter R. Koehler and Eva M. Koehler, His wife.

BEING Tax Parcel Number K9SW4-1A-1A.

BEING the same premises which Philip J. Ryan and Susan M. Ryan, by Deed dated August 25, 2000 and recorded in the Office of the Recorder of Deeds of Northampton County on September 1, 2000, in Deed Book 2000-1, Page 114074, granted and conveyed unto Doris A. Gray and William R. Gray, Jr.

BEING KNOWN AS 1200 Tatamy Road, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Doris R. Gray and William R. Gray, Jr.

KRISTINE M. ANTHOU, ESQUIRE

**No. 19**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-007946**

ALL THAT CERTAIN message or tenement and lot or tract of land situate along the Easterly side of Wyandotte Street in the Township of Lower Saucon, County of Northampton, and Commonwealth of Pennsylvania, bounded and described according to a survey thereof made the 23rd day of April 1960 by W.E. Beckley, Jr., Registered Engineer, bounded and described as follows, to wit:

BEGINNING at a railroad spike on the East side of Wyandotte Street; thence North 45 degrees East a distance of 122.23 feet to an iron pin; thence along lands now or late of Douglass P. Norwood and Mary R. Norwood, his wife, North 22 degrees 31 minutes East, a distance of 109.95 feet to an iron pin; thence South 42 degrees West a distance of 125.68 feet to a point in the Easterly line of Wyandotte Street; thence along the same, South 22 degrees 31 minutes East, a distance of 102.54 feet to the point, the place of beginning.

BEING designated as 2261 Kohler Drive according to present numbering.

CONTAINING 13,169.69 square feet strict measure.

TITLE TO SAID PREMISES IS VESTED IN Robin L. Massie and Mychal Massie, wife and husband, by Deed from Henry Trapp, Sr., Trustee of the Henry Trapp, Sr. Trust dated 5/3/2001, dated 12/

20/2001 and recorded 1/11/2002 in Volume 2002-1 Page 010814.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: Q6NW2-4-3.

BEING KNOWN AS 2261 Koehler Drive a/k/a 2261 Kohler Drive, Bethlehem, Pennsylvania.

THEREON BEING ERECTED a two story single stucco dwelling with shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Robin L. Massie and Mychal Massie.

FRANK FEDERMAN, ESQUIRE

**No. 20**

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

**CV-2003-006041**

ALL THAT CERTAIN lot or piece of land with improvements erected thereon situate on the East side of Valley Avenue (formerly Lehigh Street) in the City of Easton, County of Northampton and Commonwealth of Pennsylvania.

CONTAINING in front or breadth on the East side of said Valley Avenue 31 feet, and extending of that breadth 31 feet Eastward, between parallel lines, and 23 feet North of Bird Street (formerly Bird Alley) 110 feet to a 10 feet wide private alley.

BOUNDED on the North by other land now or late of Aaron Transue; on the East by said 10 feet wide private alley; on the South side by a 23 feet wide lot now or late of John McNerney; and on the West side by Valley Avenue aforesaid.

BEING THE SAME PREMISES WHICH Robert E. Gaffney and Patricia Gaffney by indenture bearing even date the 31st day of October A.D. 1996 and intended to be forthwith recorded in the Office for the Recording of Deeds in and for the County of Northampton, the Commonwealth of Pennsylvania

granted and conveyed unto Michael A. Sheats and Barbara L. Sheats, in fee.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: M9NE1A-15-2.

BEING KNOWN AS 614 Valley Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Michael A. Sheats and Barbara L. Sheats.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 21**

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

**CV-2003-006732**

ALL THAT CERTAIN tenement, messuage and tract or piece of land situate in the City of Easton, Northampton County, Pennsylvania, together with the improvements thereon erected, presently known and designated as No. 328 West Nesquehoning Street, bounded and described as follows, to wit:

CONTAINING thirty-five (35) feet in front on the South side of said West Nesquehoning Street and extending of equal width in depth Southwardly a distance of one hundred twenty-five (125) feet to the North side of Cooper Street.

BOUNDED on the North by West Nesquehoning Street; on the East by property of Paul Joseph McCabe, presently known and designated as No. 324 West Nesquehoning Street; on the South by Cooper Street and on the West by property of Harold E. Morrison and M. Jane Morrison, his wife.

TITLE TO SAID PREMISES IS VESTED IN Carmelo Cruz and An-

gelica Cruz, his wife by Deed from Herbert A. Singley and Mary T. Singley, his wife dated 12/29/1980 and recorded 12/29/1980, in Volume 622, Page 794.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SE3D-5-19.

BEING KNOWN AS 328 West Nesquehoning Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Carmelo Cruz and Angelica Cruz.

FRANK FEDERMAN, ESQUIRE

**No. 22**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-007222**

ALL THAT CERTAIN LOT or piece of ground situate in the Township of Palmer, County of Northampton, and Commonwealth of Pennsylvania, designated as Lot No. 4 as shown on a plan of lots entitled "Final Plan—Hillcrest (Phase I)" prepared by Environmental Design and Engineering dated November 11, 1992, revised through March 7, 1994 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on June 13, 1994 in Record Book Volume 1994-5, Page 170, and being more fully described as follows, to wit:

BEGINNING at a point on the northerly right-of-way line of Crest Boulevard (80 feet wide) at a corner of Park View Estates; thence along said northerly right-of-way line of Crest Boulevard (80 feet wide) the following two courses and distances:

1. South 89°-04'-46" West 98.33 feet to a point; thence
2. along the arc of a curve deflecting to the left having a radius

of 340.00 feet and central angle of 08°-44'-27" for an arc length of 51.87 feet (chord: South 84°-42'-32" West 51.82 feet) to a point at a corner of Lot 3 of Hillcrest (Phase I);

thence along said lands of Lot 3 of Hillcrest (Phase I) North 00°-55'-14" West 124.08 feet to a point on line of lands now or late of Burnell and Nancy Moyer; thence along said lands now or late of Burnell and Nancy Moyer North 89°-07'-46" East 150.00 feet to a point on line of lands of Park View Estates; thence along said lands of Park View Estates South 00°-55'-14" East 120.00 feet to a point, the place of the Beginning, Containing 18,077.66 square feet or 0.415 acre.

ALSO BEING KNOWN AND DESIGNATED AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NO. L8NE3-16-4.

UNDER AND SUBJECT, nevertheless, to the easements, rights-of-way, restrictions and conditions of record, including those set forth on Exhibit "A", attached hereto and made part hereof.

TOGETHER with all and singular the improvements, ways, streets, alleys, passages, waters, watercourses, rights, liberties, privileges, hereditaments, and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of him, the said Grantor, as well at law as in equity, of, in and to the same.

UNDER AND SUBJECT, nevertheless, to the easements, rights-of-way, restrictions and conditions of record, and to the aforesaid restrictions and conditions.

**EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND CONDITIONS**

1. The terms, conditions, covenants, restrictions, easements, and rights-of-way set forth on the "Final Plan—Hillcrest (Phase I)" prepared by Environmental Design and Engineering dated November 11, 1992, revised through March 7, 1994 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on June 13, 1994 in Record Book Volume 1994-5, Page 170.

2. Declaration of Restrictions, Covenants and Easements for Hillcrest Acres, Palmer Township, Northampton County, Pennsylvania (hereinafter referred to as "Declaration"), dated June 21, 1994 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on June 23, 1994 in Record Book Volume 1994-6, Page 42730.

3. Right-of-Way Agreement (Hillcrest Phase I), between Gerhard Riethmuller and Marilyn Riethmuller, his wife, and Palmer Township Municipal Sewer Authority, dated February 7, 1993 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on July 8, 1993 in Miscellaneous Book Volume 497, Page 367.

4. Easement and Exclusive License Agreement between Gerhard and Marilyn Riethmuller, and Twin County Trans Video, Inc., dated September 24, 1993 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on October 5, 1993 in Miscellaneous Book Volume 510, Page 177.

5. Development Grant by Gerhard Riethmuller and Marilyn Riethmuller to The Bell Telephone

Company of Pennsylvania, dated October 27, 1993 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on March 10, 1994 in Record Book Volume 1994-1, Page 8470.

6. Easement for Development by Gerhard Riethmuller, widower, to Metropolitan Edison Company, dated March 21, 1994 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on April 26, 1994 in Record Book Volume 1994-6, Page 14225.

7. Easement Agreement between Gerhard Riethmuller, widower, and Palmer Township, dated October 6, 1995 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on October 12, 1995 in Record Book Volume 1995-1, Page 96745.

BEING KNOWN AS: 9 CREST BOULEVARD, A/K/A 4 HILLCREST ACRES, PALMER, PA 18045.

PROPERTY ID NO.: L8NE3-16-4.

TITLE TO SAID PREMISES IS VESTED IN Henry Beckles and Rasheeda Beckles, his wife by Deed from Gerhard Riethmuller, widower dated 1/23/96 recorded 2/7/96 Book 1996-1 Page 11154.

THEREON BEING ERECTED a ranch style dwelling with aluminum siding exterior and shingle roof; detached garage.

SEIZED AND TAKEN into execution of the writ as the property of Henry Beckles and Rasheeda Beckles.

MARK J. UDREN, ESQUIRE

**No. 23**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
1998-C-08965**

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

situate in the Township of Palmer, Northampton County, Pennsylvania, designated as Lot No. 136 on the Plan of Penn's Grant, Phase 1, as said Plan is recorded in the Recorder of Deeds Office in and for Northampton County, Pennsylvania in Map Book Volume 1995-5, Page 121-124, and hereinafter described:

ALL THAT CERTAIN messuage, tenement, and lot or parcel of land situate in the Township of Palmer, Northampton County, Pennsylvania designated as Lot No. 136 on the Plan of Penn's Grant, Phase 1, as said Plan is recorded in the Recorder of Deeds in and for Northampton County, Pennsylvania n Plan Book 1995-1, Pages 121 et seq., being more fully bounded and described as follows, to wit:

BEGINNING at a point on the Southern right-of-way line of Corriere Road (50 feet wide), said point being the Northwest corner of Lot 137 and the Northeast corner of the herein described Lot 136; thence along the Western boundary line of Lot 137, South three degrees thirty minutes sixteen seconds West (s 03 30' 16" W), a distance of one hundred nineteen and fourteen one-hundredths feet (119.14') to a point; thence along the Eastern boundary line of lot 239 North eighty-six degrees one minute fifty-seven seconds West (N 86 01' 57" W), a distance of twenty and zero one hundredths feet (20.00) to a point thence alone the Eastern boundary line of lot 135 North three degrees thirty minutes sixteen seconds East (N 03 30' 16" E), a distance of one hundred seventeen and forty-two-one-hundredths feet (117.42') to a point; thence along the Eastern boundary line of the aforementioned Corriere Road along a curve to the right, having a radius

of three hundred eight-five feet (385.00'), a central angle of two degrees fifty-nine minutes nine seconds (02 59' 09"), a length along the arc of twenty and six one-hundredths feet (20.06), and a tangent distance of ten and three one-hundredths (10.03') feet to the place of BEGINNING.

CONTAINING IN AREA 2,364 square feet or 0.0543 acre.

UNDER AND SUBJECT, nevertheless, and together with a certain ten foot wide access easement as more fully described and illustrated in a certain Declaration and Imposition of Cross-Easement document recorded in the recorder's office in Volume 1995-1, Page 074574

TITLE TO SAID PREMISES IS VESTED IN Michael A. Digirolamo and Rhonda L. Paul by Deed from Pennis Grant dated 3/28/96 Deed Book/Volume 1996-1, page 027397.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: K90-7-79.

BEING KNOWN AS 54 Corriere Road, Easton, Pennsylvania.

THEREON BEING ERECTED a two story brick townhouse w/ one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Michael A. DiGirolamo and Rhonda L. Paul n/k/a Rhonda L. DiGirolamo.

FRANK FEDERMAN, ESQUIRE

**No. 24  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-002380**

ALL THAT CERTAIN messuage, tenement and tract of land situate in the Township of Bushkill, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a spike in the middle of Township Road No. 750, said spike being 247.71 feet (measured along the center line of said Route 750), Southerly of the public road known as Meixell Road;

THENCE along the center line of said Route 750, South 06 degrees 45 minutes 00 seconds West, 260.00 feet to a spike;

THENCE along land of James Evans, of which this tract was a part, North 83 degrees 15 minutes 00 seconds West, 160.00 feet to an iron pin;

THENCE along same, North 06 degrees 45 minutes 00 seconds East, 260.00 feet to an iron pin;

THENCE along same, South 83 degrees 15 minutes 00 seconds East, 160.00 feet to the place of BEGINNING.

BEING known as premises no. 1209 Seifert Road.

PARCEL NUMBER G6-17-13B.

BEING the same premises which Peter Stolvoort and Carol Ann Stolvoort, Husband and Wife, by Deed dated September 29, 2000 and recorded in the Northampton County Recorder of Deeds Office on October 3, 2000 in Deed Book 2000-1 Page 129432, granted and conveyed unto David A. Ferri and Mary Ann Ferri, Husband and Wife.

THEREON BEING ERECTED a two story single dwelling with aluminum siding exterior and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of David A. Ferri and Mary Ann Ferri.

DAVID FEIN, ESQUIRE

**No. 25**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-003873**

ALL THAT CERTAIN house and lot of ground situate on the west

side of North Seventh Street in the Fourth Ward of the City of Easton, County of Northampton, Commonwealth of Pennsylvania, known as 60-A North Seventh Street, according to present city numbering, bounded and described as follows, to wit:

BEGINNING at a point on the Westerly building line of North Seventh Street on line of lot of Isabel Skirmont and Susan Kovacs; thence in a westerly direction by said lot, 87.75 feet to a point; thence in a southerly direction, parallel to the line of Seventh Street by lot of William E. and Milton Paul, 9.71 feet to a point; thence in an easterly direction, by land now or late of the grantor and parallel to first course 35.5 feet to a point; thence in a southerly direction, parallel to the line of Seventh Street, by land now or late of the grantor, 1.5 feet to a point; thence by the same in an easterly direction and parallel to the first course, 25.25 feet to a point; thence by the same in a westerly direction, parallel to the line of Seventh Street, 1.5 feet to a point; thence by the same in an easterly direction, parallel to the first course and passing through the partition wall between the double frame house known as #60 and #60-A North Seventh Street, 27.0 feet to a point on the westerly building line of North Seventh Street; thence in a northerly direction by the said building line of North Seventh Street; thence in a Northerly direction by the said building line of Seventh Street, 9.71 feet to point, the place of BEGINNING.

BEING PARCEL ID NUMBER L9SE1B 3 9A 0310. PIN: 5067-05-5103-4776.

BEING THE SAME PREMISES which Albert Abdouche, by Deed



dated May 23, 1996, and recorded May 30, 1996, in the Recorder of Deeds Office of Northampton County, Pennsylvania, in Deed Book Volume 1996-1, Page 052803, granted and conveyed unto Mansour Mansour.

PREMISES improved with a single family dwelling more commonly known as 60A North 7th Street, Easton, Pennsylvania 18042.

THEREON BEING ERECTED a two and one-half story row dwelling with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Mansour G. Mansour.

RICHARD BRENT SOMACH,  
ESQUIRE

**No. 26**

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION  
1994-C-07663**

ALL THAT CERTAIN lot or piece of ground with the Southern 1/2 of a double brick house thereon erected and known as No. 424 Filbert Street, situated on the East side of Filbert Street and described as follows, to wit: in the City of Easton, 10th Ward.

BEGINNING at a point 31 feet from the Northeast corner of Kleinhans Avenue and Filbert Street, running Northwardly along Filbert Street 17 feet, more or less; THENCE Eastwardly through the middle partition wall 101 feet to a 20 feet wide alley; THENCE Southwardly along said alley 17 feet, more or less; THENCE Westwardly 101 feet, more or less, to the place of BEGINNING.

BOUNDED on the West by Filbert Street, on the North by property now or late of William C. Schaefer and on the East by a 20

feet wide alley and on the South by property of Marinus DeYoung.

BEING the same premises which John M. Mandarino granted and conveyed unto William D. Scott and Deborah J. Choice by Indenture dated April 15, 1988 and recorded April 18, 1988 in Northampton County Recorder's Office in Deed Book 746, page 8.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SE3D-15-3.

SEIZED AND TAKEN into execution of the writ as the property of William D. Scott and Deborah J. Choice a/k/a Deborah Scott.

DAVID FEIN, ESQUIRE

**No. 27**

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION  
CV-2002-003359**

ALL THOSE CERTAIN lots or pieces of ground with building thereon erected situate in the Borough of Freemansburg, Northampton County, Pennsylvania, known and designated as Lots 919 and 920 on map or Plan entitled "Clearfield Terrace Building Lots, Plan Showing the Extension by Charles A. and Harry O. Jones, July 17, 1915, L.J.H. Grossart, C.E.", which Map or Plan is entered of record in the Office of the Recorder of Deeds of Northampton County, Pennsylvania in Map Book 6, page 21, said lots being bounded and described as follows, to wit:

BEGINNING at the southeast corner of Monroe and Juniata Streets; thence extending southwardly along the east side of Juniata Street a distance of 40 feet and of that same width extending eastwardly between parallel lines, a distance of 120 feet, more or less to Cambria Streets bounded on the north by said Monroe Street, on the

East by said Cambria Street, on the South by Lot 921, and on the West by Juniata Street.

BEING THE SAME PREMISES WHICH Charles H. Schleppey and Virginia M. Schleppey by deed dated 5/27/87 and recorded 5/29/87 in Deed Book 726 Page 561 granted and conveyed unto Phillip J. Schrader and John J. Schrader, Jr.

PARCEL: P7NW2A-4-1.

THEREON BEING KNOWN AS 710 Monroe Street, Bethlehem, Pennsylvania.

THEREON BEING ERECTED a two story apartment dwelling with T-111 wood exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Phillip J. Schrader and John J. Schrader, Jr.

LEON P. HALLER, ESQUIRE

**No. 28**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-007721**

ALL THAT CERTAIN piece, parcel or tract of land, Situate in the Township of Forks, County of Northampton and Commonwealth of PA shown as Lot TH E91 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, to wit:

BEGINNING at a point on the Westerly right of way line of Upper Way (50 feet wide) at the corner of Lot OS 5 (Common Open Space) of Vista Estates; thence along said Westerly right of way line of Upper Way (50 feet wide) South 23 degrees 35 minutes 14 seconds West 41.63 feet to a point at a corner of Lot TH

E 92 of Vista Estates; thence along lands of Lot TH H92 of Vista Estates North 66 degrees 24 minutes 46 seconds West 120 feet to a point on line of lands of Lot OS 5 (Common Open Space) of Vista Estates; thence along said lands of Lot OS 5 (Common Open Space) of Vista Estates the following two courses and distances (1) North 23 degrees 35 minutes 14 seconds East 41.63 feet to a point; thence (2) South 66 degrees 24 minutes 46 seconds East 120 feet to a point, the place of beginning.

CONTAINING 4,996.03 square feet, more or less.

SAID LOT being subject to any and all drainage an utility easements as shown on the final recorded plain.

BEING Tax Map No. K9-36A-18.

BEING the same premises which Michael W. Hillis by Deed dated December 20, 2002 and recorded in the Northampton County Recorder of Deeds Office on December 31, 2002 in Deed Book Volume 2002-1 page 370650, granted and conveyed unto Cindy H. Courtright.

BEING KNOWN AS 2690 Upper Way, Easton, Pennsylvania.

THEREON BEING ERECTED a two story brick townhouse w/ one-car garage and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Cindy H. Courtright.

DAVID FEIN, ESQUIRE

**No. 29**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-006546**

ALL THAT CERTAIN piece of land with the messuage or tenement, No. 1525 East Seventh Street, thereon erected, situate in the City of Bethlehem, County of Northampton,

and State of Pennsylvania, more particularly bounded and described as follows, to wit:

BEGINNING at a point in the North line of East Seventh Street distant two hundred twenty-eight (228) feet West of the northwest corner of Lynn Avenue and East Seventh Street, said point being the extension of a line through the middle of the party or partition wall dividing the house erected on these premises from the one adjoining immediately on the East; thence extending along the North line of East Seventh Street westwardly a distance of fourteen (14) feet to a point, said point being the extension of a line through the middle of the party or partition wall dividing the house erected on these premises from the one adjoining immediately on the West, and of that same width of fourteen (14) feet between parallel lines at right angles to East Seventh Street, said lines passing partly through the party or partition walls aforesaid, northwardly a distance of one hundred (100) feet to a fifteen feet wide alley.

BOUNDED on the North by the fifteen feet wide alley aforesaid, on the East by land now or late of David Longacre, and on the South by East Seventh Street, and on the West by land now or late of Joseph Hegedus.

BEING Northampton County tax parcel Assessment #P7SW1B-6-14.

BEING KNOWN AS 1525 East Seventh Street, Bethlehem, Pennsylvania.

THEREON BEING ERECTED a two story row dwelling with stone coating exterior and flat roof.

SEIZED AND TAKEN into execution of the writ as the property of Miguel A. Lugo.

SCOTT LIPSON, ESQUIRE

**No. 30**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-007003**

ALL THAT CERTAIN lot or ground with the dwelling house and improvements thereon erected, situate on the north side of Lincoln Street, between Valley and Iron Streets, in the City of Easton, County of Northampton and State of Pennsylvania, known as No. 805 Lincoln Street, beginning at a point on the northern building line of said Lincoln Street a distance of thirty (30) feet westwardly from the intersection of the said building line with the western building line of said Valley Street; thence extending westwardly along said northern building line of Lincoln Street sixty-six (66) feet and of that width extending northwardly in depth forty-four (44) feet.

BOUNDED on the north by land now or late of Howard A. Bean, Jr. and Arlene N. Bean, his wife; on the east by other land now or late of prior grantors, known as 801 Lincoln Street; on the south by said Lincoln Street; and on the west by land now or late of Alice A. Youells.

BEING known as premises 805 Lincoln Street, Easton, Pennsylvania 18042.

BEING ALSO KNOWN AS Northampton County Tax Parcel Identifier No. M9NE1A-11-4.

BEING THE SAME PREMISES WHICH Robert Shultz by indenture bearing even date the 31st day of January A.D. 2001 and intended to be forthwith recorded in the Office for the Recording of Deeds in and for the County of Northampton, the Commonwealth of Pennsylvania granted and conveyed unto Robert T. Lilly, in fee.

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

SEIZED AND TAKEN into execution of the writ as the property of Robert T. Lilly.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 31**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-000625**

ALL THAT CERTAIN MESSUAGE, Tenement and lot or piece of ground situate on the west side of Easton Road in the Borough of Hellertown, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the curb line on the west side of Easton Road in said Borough, said point being located at the northern line of land now or late of Harvey Wohlbach, thence northwardly in and along said west line a distance of nineteen feet one and one-quarter inches (19' 1-1/4") to a point in the southern boundary of premises of Elwood J. Delp, thence westwardly in and along said southern boundary line, a southern boundary line a distance of one hundred and twenty feet (120) to a point in the east line of a ten (10) foot wide private alley, thence southwardly along said east line a distance of nineteen feet one and one-quarter inches (19' 1-1/4") to a point in the northern line of land now or late of Harvey Wohlbach, thence eastwardly in and along said north line a distance of one hundred and twenty feet (120') to a point, the place of beginning.

BEING the same premises which John P. Holliday and Adele A. Holliday, formerly known as Adele A. Lazzaro, husband and wife, by

Deed dated April 9, 1993 and recorded in the Northampton County Recorder of Deeds Office on April 13, 1993 in Deed Volume 893 Page 33 granted and conveyed unto David L. Achey and Tricia A. Achey, husband and wife.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: Q7SW2D-4-6.

BEING KNOWN AS 752 Easton Road, Hellertown, Pennsylvania.

THEREON BEING ERECTED a two story brick row dwelling with slate roof.

SEIZED AND TAKEN into execution of the writ as the property of David L. Achey and Tricia A. Achey.

DAVID FEIN, ESQUIRE

**No. 32**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2002-005425**

ALL THAT CERTAIN situated along the southeasterly side of the road leading from Bethlehem to Nazareth, (commonly known as Nazareth Pike), in the Fourteenth Ward of the City of Bethlehem, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron spike in the Nazareth Pike and in line with the middle of the party or partition wall, located between the dwelling on the herein conveyed premises and the dwelling located on the adjoining premises previously conveyed to Emma Ilkovich and Anthony Ilkovich, her husband; thence extending South fifty-six degrees, forty-eight minutes East (S. 56° 48' E) and passing through the middle of the aforesaid party or partition wall, a distance of two hundred and twenty-four and fifty-nine hundredths (224.59') feet to an iron pipe; thence extending along lands

now or late of Harvey Kipp, South twenty-four degrees, thirty minutes West (S 24° 30' W), a distance of Seventy-seven and ninety-three hundredths (77.93') feet to a stake; thence along lands, now or late of John Q. A. Fox, North sixty-seven degrees, three minutes West (N 67° 3' W), a distance of two hundred thirty-four and eighteen hundredths (234.18') feet to a point in the Nazareth Pike; thence along said Nazareth Pike North thirty-two degrees, forty-five minutes East (N 32° 45' E), a distance of one hundred nineteen and twelve hundredths (119.12') feet to the point, the place of beginning.

BEING the same premises which James L. Kunsman and Esther A. Kunsman, his wife, by their Deed dated September 24, 1980, and recorded in the Office for the Recording of Deeds in and for the County of Northampton in Deed Book Volume 619, Page 561, granted and conveyed unto Brian H. Kunsman, grantors herein.

ALSO KNOWN AS UNIFORM PARCEL IDENTIFIER NUMBER: M7-2-9.

TITLE TO SAID PREMISES IS VESTED IN Catherine E. McLain, by deed from Brian H. Kunsman, dated 1/24/01, recorded 2/1/01, in Deed Book 2001-1, Page 15243.

PROPERTY ID NO.: M7-2-9.

BEING KNOWN AS 3410 LINDEN STREET, BETHLEHEM, PA 18017.

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

SEIZED AND TAKEN into execution of the writ as the property of Catherine E. McLain.

MARK J. UDREN, ESQUIRE

**No. 33**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2001-005344**

ALL THAT CERTAIN message and tenement, tract, piece or parcel of land situated in the Township of Washington, in the County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a stone and corner of land late of Christian Repsher in the public road which leads from the Borough of Bangor to the Blue Mountain and to the Northampton Slate Quarry, THENCE along the said public road South 22 degrees East 109 feet to a corner in the aforesaid public road, THENCE by land now or late of the aforesaid Christian Repsher, or his estate, and along an alley North 86-1/2 degrees East 180 feet to a corner, THENCE by land now or late of Christian Repsher North 13-1/2 degrees West 103 feet to a corner, THENCE by land of the said Christian Repsher South 86-1/2 degrees West 224 feet to a stone corner in the said public road, the place of beginning. CONTAINING the above described premises.

NORTHAMPTON COUNTY TAX PARCEL IDENTIFICATION NO. D9-6-26.

UNDER and subject to all covenants, easements, conditions, exceptions, reservations and restrictions as are contained in prior deeds and/or documents appearing in the chain of title and/or visible upon the land.

BEING KNOWN AS 89 Fox Gap Avenue, Bangor, PA 18013-1413.

PROPERTY ID NO.: D9-6-26.

TITLE TO SAID PREMISES IS VESTED IN Charles W. Bugbee and

Jill L. Bugbee, his wife, by Deed from Lido M. Casagrande as Administrator C.T.A. under the last will and testament of Nicholas Derea, widower and unmarried, and Philip Derea, Domenic Derea, Marylou Lohman, Fred Derea, Nicholas Derea, Carol Casagrande, Richard Derea, Michael Derea and Anthony Derea, beneficiaries under the last will and testament of Nicholas Derea, dated 11/30/99, recorded 12/10/99, in Deed Book 1999-1, Page 182909.

THEREON BEING ERECTED a two story single dwelling with shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Charles W. Bugbee and Jill L. Bugbee.

MARK J. UDREN, ESQUIRE

**No. 34**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2002-008922**

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, situate in the City of Easton, County of Northampton and Commonwealth of Pennsylvania, bounded and described according to a survey and plan Canal Park Southside Neighborhood Development Tract 102 dated 6/5/87; last revised 8/10/88 made by Hanover Engineering Associates, Inc., of Bethlehem, Pennsylvania and recorded in Map Book 88/425, as follows, to wit:

Beginning at a point on the southeasterly side of Canal Street (proposed width—70.00 feet) and being the three following courses and distances from the intersection formed by the southerly side of Canal Street with the westerly side of

Center Street (proposed width—60.00 feet), viz: (1) south 87 degrees 30 minutes 57 seconds west, a distance of 131.21 feet to a point of curve; (2) on the arc of a circle curving to the left in the southwesterly direction having a radius of 218.59 the arc distance of 144.21 feet to a point of tangent; and (3) south 39 degrees 43 minutes 02 seconds west, a distance of 19.38 feet to the point of beginning; thence from said point of beginning, along line of Lot No. 12, south 40 degrees 16 minutes 58 seconds east, a distance of 73.80 feet to a point, another corner of Lot No. 12 in line of lands reserved for use in common with others; thence continuing along line of lands reserved for use in common with others, south 49 degrees 43 minutes 02 seconds west, a distance of 20.00 feet to a point, the southeasterly corner of Lot No. 10 (as shown on the aforesaid plan); thence along line of Lot No. 10, north 40 degrees 16 minutes 58 seconds west, a distance of 73.80 feet to another corner of Lot No. 10 on the southeasterly side of Canal Street; thence along the southeasterly side of Canal Street, north 49 degrees 43 minutes 02 seconds east, a distance of 20.00 feet to a point, corner of Lot No. 12, the point and place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Wesley W. Kerr, single by Deed from David J. McGettrick and Cynthia McGettrick, his wife dated 6/23/2000 and recorded 6/26/2000 in Record Book Volume 2000-1, Page 77983.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SE41D-20-11.

BEING KNOWN AS 745 Mauch Chunk Street, Easton, Pennsylvania.

THEREON BEING ERECTED a two story row dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Wesley W. Kerr.

FRANK FEDERMAN, ESQUIRE

**No. 35**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-007933**

ALL THAT CERTAIN lot of land, with the Northern half of a double dwelling thereon erected, known as 1118 Whitehall Avenue, situated in the Township of Palmer, County of Northampton and State of Pennsylvania, being further known as Lot No. 43 as shown on the Plan of Lots known as "Wilden, a Suburb of Easton", said Map being recorded in the Office for the Recording of Deeds in and for the County of Northampton in Map Book No. 6, Page 18 and being more particularly bounded and described as follows:

BEGINNING at a point in the Eastern building line of Pennsylvania Avenue, now known as Whitehall Avenue, as shown on said Map at the intersection of Lots Nos. 42 and 43; thence Eastwardly along the division line between Lots Nos. 42 and 43 and passing through and along the partition wall which divides the premises hereby conveyed, being the Northern half, from the Southern half of said double dwelling 120 feet to a point; thence Northwardly along the division line between Lots Nos. 43 and 51, 40 feet to a point; thence Westwardly along the division line between Lots Nos. 44 and 45 and said Lot No. 43, 120 feet to a point in the Eastern building line of said Whitehall Avenue; thence Southwardly along the Eastern building line of said

Whitehall Avenue, 40 feet to the point of beginning.

BOUNDED on the North by Lots Nos. 44 and 45, on the East by Lot No. 51, on the South by Lot No. 42 and the Southern half of said double dwelling house (known as 1120 Whitehall Avenue) and on the West by Whitehall Avenue, formerly known as Pennsylvania Avenue.

BEING more recently described and shown on a Survey Plan prepared by Kenneth R. Hahn, R.S. Drawing No. 80-32, dated January 31, 1980, bounded and described, as follows:

BEGINNING at a point on the Easterly right of way line of Whitehall Avenue, (50 feet wide), said point being located 120.33 Southerly of the South side of Freemansburg Avenue; thence along the Southerly side of Lots 44 and 45, South 86 degrees 00 minutes East, 120.00 feet to an iron pipe found; thence along the Westerly side of Lot No. 51 of Wilden Plan, South 4 degrees 00 minutes West, 40.00 feet to a point; thence along the Northerly property line of 1120 Whitehall Avenue, Lot No. 42 and passing partly in and through a party wall, North 86 degrees 00 minutes West, 120.00 feet to a point on the Easterly right of way line of Whitehall Avenue; thence along the Easterly right of way line of Whitehall Avenue, North 4 degrees 00 minutes East, 40.00 feet to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Robert D. Buss by reason of the following:

BEING THE SAME premises which Harry J. Hummell and Patricia Hummell, his wife by Deed dated 2/28/1980 and recorded 2/28/1980 in the County of North-

ampton in Deed Book Volume 611, Page 1044 conveyed unto Robert D. Buss, single.

AND ALSO BEING THE SAME premises which Madeline Jean McDonald Buss by Deed dated 4/23/1992 and recorded 4/28/1992 in the County of Northampton in Deed Book Volume 860, Page 634 conveyed unto Robert D. Buss.

Premises being: 1118 WHITE-HALL AVENUE, EASTON, PA 18045.

Tax Parcel No. M8NE3-31-3.

SEIZED AND TAKEN into execution of the writ as the property of Robert D. Buss.

FRANK FEDERMAN, 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.

JEFFREY K. HAWBECKER  
Sheriff

Northampton County,  
Pennsylvania

B. LINCOLN TREADWELL, JR.,  
ESQUIRE

Solicitor to the Sheriff

Mar. 18, 25; Apr. 1



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**TALLMAN HUDDERS  
& SORRENTINO, P.C.**

*is pleased to announce that attorneys*

**GEORGINE A. OLEXA**

and

**JOHN J. GRAHAM, JR.**

*have joined the firm*

The Paragon Centre  
Suite 300  
1611 Pond Road  
Allentown, PA 18104  
(610) 391-1800  
FAX (610) 391-1805

Mar. 18

**KING, SPRY, HERMAN,  
FREUND & FAUL, LLC**

One West Broad Street, Suite 700  
Bethlehem, PA 18018  
(610) 332-0390

*is pleased to announce that*

**KRISTINE MARAKOVITS, ESQUIRE**

*has joined the firm and will be concentrating her practice  
in the fields of Education and Family Law with an  
emphasis on Special Education matters.*

Mar. 11, 18

## Saluting Our Partners in Law

- Northampton Community College's ABA-approved paralegal program prepares graduates to provide attorney-supervised legal services in a variety of law offices across the region.
- Local practicing attorneys teach many of the legal specialty courses taken by our students.
- Northampton's paralegal program offers courses on state-of-the-art computer equipment and law office software.
- All of our graduates have served an 80-hour internship in a law office.
- Attorneys and law office managers may advertise position vacancies free of charge on the Career Services Office section of the Northampton Web Site.



**Northampton Community College**

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# Notice to the Bar from the Commonwealth Court of Pennsylvania

From time to time, the Commonwealth Court of Pennsylvania publishes a list of decisions regarding appeals from the courts of common pleas that the Commonwealth Court has addressed in unpublished memorandum opinions. This practice, which begins with a decision filed on or after Dec. 1, 1988, permits more complete research of the disposition of appeals from common pleas courts. Such a list appears below for decisions filed between Feb. 1, 2004, and Feb. 29, 2004.

Copies of unreported memorandum opinions can be found on the Pennsylvania Unified Judicial System's Web site at [www.courts.state.pa.us](http://www.courts.state.pa.us). These unreported memorandum opinions reside on the Web site for a three-month period from the date of filing. Thereafter, a copy of the unreported memorandum opinion may be obtained by writing to the chief clerk's office of the Commonwealth Court, 6th Floor, Irvis Office Building, Harrisburg, Pa. 17120 at a cost of \$1 per page. These unreported memorandum opinions of the court shall not be cited in any brief, argument or opinion, except that any opinion filed in the same case may be cited as representing the law of that case. 210 Pa. Code §67.55.

<b>Caption</b>	<b>Docket number</b>	<b>Date</b>	<b>Trial court/docket number</b>	<b>Disposition</b>
Kimberly Shannon v. Comm. of PA, Dept. of Trans., Bureau of Driver Lic.	2033 CD 03	02-02-04	Monroe County 1709 CV 2003	Affirmed
W. David Zwicky v. Zoning Hearing Board of North Heidelberg Township, Berks County, Pennsylvania et al.	1890 CD 03	02-04-04	Berks County 02-10818	Affirmed
M.M. Fergosky v. Zoning Hearing Board of Lynn Township	988 CD 03	02-05-04	Lehigh County 2489-C-2002	Reversed
American Federation of State, County and Municipal Workers, District Council 33, AFL-CIO v. City of Philadelphia Township of Penn v. Butler County Airport Authority	1511 CD 02 944 CD 03	02-06-04 02-10-04	Philadelphia County No. 4583 Butler County A.D.02-11113	Affirmed Affirmed
Shaun Carbone v. L.F. Driscoll Company et al.	1756 CD 03	02-10-04	Philadelphia County 00326 January Term 2001	Affirmed
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. William F. Denney	301 CD 03	02-10-04	Montgomery County 02-24339	Affirmed
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Sheronda L. Terry	546 CD 03	02-11-04	Allegheny County SA 998 of 2002	Reversed

Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Michael David Caparro	892 CD 03	02-11-04	Philadelphia County 00937 June Term 2002	Affirmed
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Timothy M. Mensch	515 CD 03	02-11-04	Columbia County 2002-CV-1392	Vacated and Remanded
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Oliver R. Byrd	826 CD 03	02-11-04	Monroe County 7901-Civil-2002	Vacated and Remanded
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Thomas Paul Held	862 CD 03	02-11-04	Berks County 02-1957	Vacated and Remanded
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Richard G. Yakubik	1014 CD 03	02-11-04	Luzerne County 1493-C-of-2003	Vacated and Remanded
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Steven C. Singiser	1258 CD 03	02-11-04	Cumberland County 03-0778 Civil Term	Vacated and Remanded
Subramanyam Vedam v. Centre County Probation and Parole Dept.	552 CD 03	02-12-04	Centre County 2002-3109	Affirmed
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Gregory C. Bartley	1688 CD 03	02-12-04	Luzerne County 3110-C-of-2003	Vacated and Remanded
Joseph Ross v. Comm. of PA	1879 CD 03 1980 CD 03 1986 CD 03	02-12-04	Fayette County 261 SD 2002 259 SD 2002 260 SD 2002	Affirmed
Greater Johnstown Area Vocational-Technical Education Association et al. v. Greater Johnstown Career and Technology Center	1090 CD 03	02-12-04	Cambria County 2002-3230	Affirmed
Brad Thompson et al. v. Zoning Board of Adjustment et al.	1186 CD 03	02-12-04	Philadelphia County 5067 April Term 2002	Affirmed
Leon H. Johnson et ux. v. Melissa Hunsberger et al.	408 CD 03	02-12-04	Tioga County 316 CV 2000	Affirmed
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Marc C. Moerder	1248 CD 03	02-13-04	Chester County 03-3087	Vacated and Remanded
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Tab Hunter	1107 CD 03	02-17-04	Allegheny County SA 22 of 2003	Reversed
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Daniel James Fey	1151 CD 03	02-17-04	Monroe County 1244-Civil-2003	Vacated and Remanded
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Eric Robeson	1286 CD 03	02-17-04	Lehigh County 2003-C-667	Vacated and Remanded

City of Williamsport v. Fraternal Order of Police, Lodge No. 29	1865 CD 03	02-19-04	Lycoming County 03-00215	Affirmed
Cary Silkin v. Williams Township Zoning Hearing Board and the Township of Williams	1383 CD 03	02-24-04	Northampton County C0048-CV-2002-006327	Affirmed
Dolores Bleicke v. Zoning Hearing Board of the Borough of Conway	1696 CD 03	02-25-04	Beaver County 11582	Affirmed
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. James Scott Stecker	2006 CD 03	02-25-04	Lehigh County 2003-C-0942	Vacated and Remanded
City of Philadelphia v. Sabrina Patton et al.	1185 CD 03	02-25-04	Philadelphia County 03130 Oct. Term 2002	Affirmed
Stephen Lee v. Glendalee Button	1883 CD 03	02-26-04	Somerset County 226 Civil 2003	Affirmed
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Edward Maslowski	1563 CD 03	02-27-04	Wayne County 162-Civil-2003	Affirmed
James Van Wie et al. v. Board of Supervisors of South Abington Township et al.	2089 CD 03	02-27-04	Lackawanna County 03-CV-2324	Affirmed
				Mar. 18

## **Lawyers Concerned For Lawyers Lawyers' Only Recovery Meetings**

### **Alcohol, Other Drugs and Gambling**

- **Doylestown**      2nd and 4th Tuesday of Month
- **Drexel Hill**      Every Wednesday
- **Harrisburg**      1st Wednesday of Month
- **Norristown**      1st Thursday of Month
- **Philadelphia**      Every Tuesday
- **Pittsburgh**      Every Thursday
- **Reading**      3rd Monday of Month
- **Scranton**      Every Thursday
- **State College**      2nd Tuesday of Month
- **Washington**      Every Tuesday
- **West Chester**      Every Thursday

*These are "closed meetings" - that is, only lawyers recovering from or trying to recover from alcohol, other drug or gambling problems may attend.*

### **Stress, Anxiety and Depression**

*The following are professionally facilitated meetings:*

**Philadelphia** - Stress Information and Recovery (1st Monday of Month)

**Philadelphia** - Depression Recovery (2nd Monday of Month)

**For more information, time and location of these meetings,  
call the LCL Administrative Office (1-800-335-2572)**

**or**

**the Confidential Lawyers' Helpline (1 - 888 - 999 -1941) .**

**STACEY HEEFNER, Administratrix of the Estate of  
KEITH H. LLOYD, Plaintiff v. ROBERT J. JEFFERIS, JR.,  
FORGY TRUCKING, INC., and KIRK TRUCKING SERVICE,  
INC., Defendants v. TRAFFIC & PUMP SOLUTIONS, INC.,  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION, and  
LOWER NAZARETH TOWNSHIP, Additional Defendants**

*Motion To Compel Production of Documents.*

The Court granted Plaintiff Stacey Heefner's, Motion to Compel Discovery because Plaintiff's requests for documents currently housed in PennDOT are not protected from discovery by 23 U.S.C. §152. A later enacted statute, 23 U.S.C. §409 protects all data "actually compiled or collected for §152 purposes," but does not extend protection to information originally compiled or collected for other purposes, still housed by those agencies that originally compiled or collected it. Because all automobile accident reports in Pennsylvania are sent to PennDOT under state statutory authority, and not all are used for §152 purposes, it is not appropriate to invoke §152 to protect the information sought here. Accordingly, the Court granted Plaintiff's Motion.

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Action—Law, No. C0048CV2002008684.

Order of Court entered granting Plaintiff's, Stacey Heefner's, Motion to Compel Discovery.

ARMIN FELDMAN, ESQUIRE, for Plaintiff.

BARRY SHABBICK, ESQUIRE, for Defendant.

Order of Court entered on September 23, 2003 by BARATTA, J.

*ORDER*

AND NOW, this 23rd day of September, 2003, the Motion to Compel the Production of Documents filed on behalf of the Defendants, Robert J. Jefferis, Jr., Forgy Trucking, Inc. and Kirk Trucking Service, Inc. ("Original Defendants"), are hereby GRANTED.

*STATEMENT OF REASONS*

Presently before the Court is the Original Defendants' Motion to Compel the Production of Documents. Specifically, the Original Defendants contend that the Additional Defendants must produce police reports of accidents occurring in or around the intersection of Route 191 and Newburg Road, Lower Nazareth Township (the "accident reports"). Additional Defendants counter that production of those reports would violate the confidentiality protections of 23 U.S.C. §§152, 409.



The instant matter arises from a fatal motor vehicle accident that occurred at the intersection of Route 191 and Newburg Road, Lower Nazareth Township on October 16, 2002. Plaintiff's decedent, Keith Lloyd, was operating an automobile that was struck by the Defendant, Robert J. Jefferis, Jr. On or about December 9, 2002, Plaintiff, Stacey Heefner, Administratrix of the Estate of Keith H. Lloyd, filed a Complaint against the Original Defendants. On or about February 14, 2003, Original Defendants filed Praecipes and Writs of Summons to Join Additional Defendants, Pennsylvania Department of Transportation ("PennDOT"), Lower Nazareth Township, and Traffic and Pump Solutions, Inc. On February 21, 2003, the Original Defendants served each Additional Defendant with a Request for Production of Documents requesting, *inter alia*, the accident reports. PennDOT objected to this request, citing 23 U.S.C. §409 and 75 Pa.C.S. §3754(b). Original Defendants then filed a Motion to Compel on May 19, 2003.

The Original Defendants allege that the signalization and traffic control devices governing the intersection of Route 191 and Newburg Road, Lower Nazareth Township, do not permit enough time for a tractor trailer to proceed without incident through the intersection from a point and position when it is both reasonable and necessary to enter the intersection on a yellow light. The Original Defendants consulted with an expert engineer to analyze the conditions of this intersection. To complete the analysis on this issue, the Original Defendants have requested from the Additional Defendant, PennDOT, the accident reports in question.

### I. Legal Standard

The Scope of Discovery is set forth in the Pennsylvania Rules of Civil Procedure as follows:

(a) Subject to the provisions of Rules 4003.2 to 4003.5 inclusive and Rule 4011, a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of any other party, including the existence, description, nature, content, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of any discoverable matter.

(b) It is not ground for objection that the information sought will be inadmissible at the trial if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.

(c) Except as otherwise provided by these rules, it is not ground for objection that the information sought involves an

opinion or contention that relates to a fact or the application of law to fact.

*Id.* at Pa. R.C.P. 4003.1 (a)-(c). Restrictions and limitations upon discovery are to be narrowly construed. *Horwath v. Brownmiller*, 51 D. & C. 4th 33 (Monroe Cty. 2001). When a question arises regarding the discoverability of information, if there can be found “any conceivable basis for relevancy, discovery should be allowed.” *Fitt v. General Motors Corp.*, 13 D. & C. 4th 336, 338 (Lacka. Cty. 1992).

However, as noted within the Rule stated above, the scope of discovery may be limited in some circumstances. Rule 4011 of the Pennsylvania Rules of Civil Procedure disallows discovery or depositions that are sought in bad faith; would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the deponent or any person or party; is beyond the scope of discovery as set forth in Rules 4003.1 through 4003.6; or that would require the making of an unreasonable investigation by the deponent or any party or witness. *See* Pa. R.C.P. 4011. Further, the Court may prohibit discovery of matters that would amount to a fishing expedition. *See Townsend Will*, 430 Pa. 318, 241 A.2d 534 (1968). The reasonableness of any discovery is to be adjudged on the facts and circumstances of each case. *Davis v. Pennzoil Company*, 438 Pa. 194, 264 A.2d 597 (1970).

## II. Discussion

Each state within the United States may receive additional funding from the United States Government if it complies with the requirements of the highway safety program, created under the Highway Safety Act in 1966 and presently set forth in 23 U.S.C. §402. Individual states initially proved reticent to compile the requested information for fear of increased suits alleging negligence for traffic accidents. In response to this concern, Congress adopted 23 U.S.C. §409 in 1987, which provides as follows:

Notwithstanding any other provision of law, reports, surveys, schedules, lists, or data compiled or collected for the purpose of identifying, evaluating, or planning the safety enhancement of potential accident sites, hazardous roadway conditions, or railway-highway crossings, pursuant to sections 130, 144, and 152 of this title or for the purpose of developing any highway safety construction improvement project which may be implemented utilizing Federal-aid highway funds shall not be subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data.

In interpreting this statute, both parties cite to *Piece County v. Guillen*, 123 S.Ct. 720 (2003). We find the law clearly stated in *Guillen*; section 409

protects all data “actually compiled or collected for §152 purposes,” but does not extend protection to information originally compiled or collected for other purposes that is “currently held by the agencies that compiled or collected it, even if the information was at some point ‘collected’ by another agency for §152 purposes.” *Id.* at 730.

Original Defendants argue that all automobile accident reports in Pennsylvania are sent to PennDOT under state statutory authority, and that not all such reports are relevant to, or used for, purposes outlined in 23 U.S.C. §409. They contend that PennDOT stores all police reports in a “Central Accident Records Agency,” (the “central repository”) from which some are selected for analysis in the “Central Accident Analysis System.” This view appears to enjoy support within Pennsylvania law. *Werner v. IA Construction Corp.*, 51 D. & C. 4th 509 (Blair Cty. 2001) (Separating PennDOT’s function as a central repository for all reportable traffic accidents from its role in collecting and analyzing data for crash prevention and related purposes); *see also, Smith v. Neal*, Northampton County Court of Common Pleas, No. C0048CV2001002662 (2002) (same).

Additional Defendants argue that because PennDOT uses some of the information collected in its central repository for statutorily protected purposes, the entire repository should be protected from discovery. We believe otherwise. When police departments send accident reports to PennDOT, they are not specifically being collected for §152 purposes; rather, they are collected for a wide variety of purposes of which §152 activities are one. We find that the only difference between the accident reports maintained in individual police stations and the accident reports housed in the PennDOT central repository is that the PennDOT central repository provides a more accurate search function. When an accident report is pulled from the central repository for §152 purposes, and is in the hands of the relevant agency within PennDOT conducting the search or analysis, the information in those hands is protected. When the same, unadulterated accident report remains in the central repository, its discovery is permissible.

Accordingly, for the forgoing reasons, Original Defendants’ Motion to Compel Production of Documents is hereby GRANTED.

## **Northampton County Bar Association Notification of Change Form**

To assist the NCBA Staff in maintaining up-to-date information on all attorneys and subscribers of the *Reporter*, would you please complete the form below and return it to the NCBA Office whenever you have a change and/or addition to your address, telephone number, fax number or e-mail address.

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