

Northampton County Reporter

(USPS 395-280)

VOL. LIII

EASTON, PA April 1, 2004

NO. 66

**Michael F. Raab, M.D., Plaintiff v. Ofer J. Shustik, M.D. and
Ofer J. Shustik, M.D., P.C. t/a Palmer Family Practice, Defendants**

**Michael F. Raab, M.D., Michael F. Raab, M.D., P.C., Plaintiffs
v. Ofer J. Shustik, M.D. and Ofer J. Shustik, M.D., P.C. t/a
Palmer Family Practice, Defendants**

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COULD YOU USE AN INTERN FOR THE SUMMER?

Please contact the following students:

NACC Paralegal students wanting summer work, please contact either Mary Kate Smereczynsky or her sister Gina Smereczynsky at (610) 258-7227 (Both Students)

Political Science Major/Pre-law at Arcadia University is looking for an internship this summer. Contact Michael C. Bertolino at (610) 253-0499

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Northampton County Reporter

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

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Editor

NOTICES TO NCBA MEMBERS—BAR NEWS

☞ LEGAL NOTICES DEADLINE FOR THE WEEK OF PASSOVER, GOOD

FRIDAY & EASTER: The deadline for receiving Legal Notices for the April 8th issue of the Reporter is **NOON on Monday, April 5, 2004.**

☞ **See front page for students (3) needing internships this summer!**

☞ **INCLUDED IN THIS ISSUE** is the **Notice and Orders** of the United States District Court for the Eastern District of Pennsylvania regarding Local Rule of Bankruptcy Procedure 2016-2 and Local Bankruptcy Form 2016-2.

☞ **PLEASE NOTE** 40 Hours Divorce Mediation Training offered April 15-17 and April 22-24 located at the Comfort Inn on Route 202, Brandywine Valley. Pennsylvania lawyers will earn 31 Substantive and 2.5 Ethics CLE Credits to complete the course as a Divorce Mediator. Contact Mediation Works at (610) 725-8061 or go online at www.mediationworks.ws

☞ **INCLUDED IN THIS ISSUE** are the announcements and registration forms for the following events: **(1) April 20th**—Lunch/Lecture “*Three Perspectives of Zoning Appeal: Municipality, Applicant & Objectors*” **(2) April 22nd**—“*Take Your Daughters & Sons to Work Day*” **(NEW)** **(3) May 5th**—“*Northampton County DUI Practice under the New Act*” **(4) May 13th**—“*Estate Recovery Program*”

☞ ANNOUNCEMENTS (NCBA Future Events)

May 20th—Lunch/Lecture—“*Workers’ Comp (Step 1)*”

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

September 23rd—Lunch/Lecture—“*Workers’ Comp (Step 2)*”

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

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

☞ **PBI/CLE SEMINAR @ NCBA**—“*Boundary Law in Pennsylvania*”—

Wednesday, April 14, 2004—9:30 a.m. to 2:00 p.m.—4/0 CLE Credits Register early by calling (800) 932-4637 or go online at www.pbi.org

☞ BAR ASSOCIATION OF LEHIGH COUNTY

SPONSORED SEMINARS FOR 2004:

[**April 7th**—“*The Ins & Outs of the PA Disciplinary System*”] [**April 20th**—“*Basic International Trade Law*”] [**May 12th**—“*Lanham Act, False Advertising & Unfair Competition*”] Call BALC for details such as times, fees, credits, meals and/or to register at (610) 433-6401, ext. 16.

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**DOTTA, ANTHONY**, dec'd.

Late of Nazareth, Northampton County, PA

Executor: Wayne A. Dotta, 407 Gladstone Rd., Langhorne, PA 19047

HAJDUK, CATHERINE E., dec'd.

Late of the Borough of Freemansburg, Northampton County, PA

Executor: Raymond Hayduk, 419 Main Street, Freemansburg, PA 18017

Attorneys: Joanne Kelhart, Esquire, Shay, Santee & Kelhart, 44 East Broad Street, Bethlehem, PA 18018

HORSCROFT, W. FRANK, JR., dec'd.

Late of Bethlehem, Northampton County, PA

Co-Executrices: Carol H. Clarke and Sara R. Kurtz, 228 Creek Road, Frenchtown, NJ 08825

Attorneys: Robert W. Brown, Esquire, Brown, Brown, Solt & Ferretti, 1425 Hamilton Street, Allentown, PA 18102

RISSMILLER, ADA K., dec'd.

Late of the Township of Moore, Northampton County, PA

Executor: Alan R. Rissmiller, 635 Weston Dr., Toms River, NJ 08755

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

SZABO, ARPAD, dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Lynn M. Rosario c/o Chester A. Reybitz, Esquire, 429 East Broad St., P.O. Box 1445, Bethlehem, PA 18016-1445

Attorney: Chester A. Reybitz, Esquire, 429 East Broad St., P.O. Box 1445, Bethlehem, PA 18016-1445

WELTON, IRENE R., dec'd.

Late of the Township of Washington, Northampton County, PA

Administrator: Wooster Welton c/o McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, P.O. Box 147, Bangor, PA 18013

Attorneys: McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, P.O. Box 147, Bangor, PA 18013

SECOND PUBLICATION**ARNOLD, ERWIN J.**, dec'd.

Late of the Borough of Hellertown, Northampton County, PA

Executrix: Helen A. Buchanan c/o Frank J. Danyi, Jr., Esquire, Maloney, Danyi, Davis & Sletvold, 901 West Lehigh Street, Bethlehem, PA 18016-1279

Attorneys: Frank J. Danyi, Jr., Esquire, Maloney, Danyi, Davis & Sletvold, 901 West

Lehigh Street, Bethlehem, PA 18016-1279

BEDICS, MARY A., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: Irene Marich c/o James C. Omdahl, Esquire, 54 South Commerce Way, Suite 172, Bethlehem, PA 18017

Attorney: James C. Omdahl, Esquire, 54 South Commerce Way, Suite 172, Bethlehem, PA 18017

BOUCHER, JOHN M., dec'd.

Late of the Borough of Hellertown, Northampton County, PA

Executor: Martin Boucher c/o Karl H. Kline, Esquire, Karl Kline P.C., 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

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

GOLDEN, HELEN a/k/a HELEN W. GOLDEN, dec'd.

Late of the Borough of Bangor, Northampton County, PA

Executor: Dennit Golden c/o Michael A. Gaul, Esquire, King, Spry, Herman, Freund & Faul, One West Broad Street, Suite 700, Bethlehem, Pa 18018

Attorneys: Michael A. Gaul, Esquire, King, Spry, Herman, Freund & Faul, One West Broad Street, Suite 700, Bethlehem, Pa 18018

HANLON, JOSEPH ROBERT, dec'd.

Late of HCR Manorcare, 2600 Northampton Street, Easton, Northampton County, PA

Executrix: Jennifer Mae DeLaTorre c/o Robert B. Roth, Esquire, Roth & Roth, Attorneys at Law, 123 North Fifth Street, Allentown, PA 18102
Attorneys: Robert B. Roth, Esquire, Roth & Roth, Attorneys at Law, 123 North Fifth Street, Allentown, PA 18102

HUNSICKER, RICHARD L., dec'd.

Late of the Township of Williams, Northampton County, PA

Executrix: Judy L. Kunsman c/o Karl H. Kline, Esquire, Karl Kline P.C., 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

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

LaBAR, NORMAN W., dec'd.

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

Co-Executrices: Arlene J. Raub, 4706 Cheryl Drive, Bethlehem, PA 18017-8717 and Joyce E. Weidlick, 223 Independence Way, Mount Bethel, PA 18343

McCARTHY, PATRICIA KELLEY a/k/a PATRICIA K. McCARTHY, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Justin K. McCarthy, Esquire, Law Offices of Justin K. McCarthy, Suite 100, 528 North New Street, Bethlehem, PA 18018

Attorneys: Justin K. McCarthy, Esquire, Law Offices of Justin K. McCarthy, Suite

100, 528 North New Street,
Bethlehem, PA 18018

**SCANLON, EDWARD C. a/k/a
EDWARD C. SCANLAN**, dec'd.

Late of the Township of Han-
over, Northampton County, PA
Administratrix: Heather Scan-
lon c/o Leigh A. Jerner, Es-
quire, Jerner & Palmer, P.C.,
7152 Germantown Avenue,
Suite 200, Philadelphia, PA
19119

Attorneys: Leigh A. Jerner,
Esquire, Jerner & Palmer, P.C.,
7152 Germantown Avenue,
Suite 200, Philadelphia, PA
19119

THOMPSON, ROSEMARY C.,
dec'd.

Late of Forks Township,
Northampton County, PA
Administrator: William A.
Thompson c/o Ralph J. Bella-
fatto, Esquire, 4480 William
Penn Highway, Easton, PA
18045

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

THIRD PUBLICATION

BRASCH, CLARENCE F., dec'd.

Late of the Township of Wil-
liams, 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, Naza-
reth, PA 18064

DRISKO, JOHN B., dec'd.

Late of Nazareth, Northamp-
ton County, PA

Executor: David K. Gardner
c/o Judith A. Harris, Esquire,
Tallman, Hudders & Sorren-
tino, P.C., The Paragon Cen-
tre, 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, Hel-
lertown, Northampton Coun-
ty, PA

Co-Executrices: Esther R.
Rodriguez and Louise M. Lee
c/o Lawrence M. Klemow, Es-
quire, 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

STREEPY, WILLIAM M., JR.

a/k/a WILLIAM M. STREEPY
a/k/a WILLIAM STREEPY, dec'd.

Late of the City of Easton, Northampton County, PA

Co-Executors: E. Eleanor Streepy, 178 Charles Street, Easton, PA 18042 and Harold A. Streepy, 152 Aurora Street, Phillipsburg, NJ 08865

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

NOTICES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania,

for the 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.

The name of the corporation is: **PAVELCZE CONCRETE, INC.**

John J. Bartos, Esquire
John J. Bartos, P.C.
3976 Township Line Road
Bethlehem, PA 18020

Apr. 1

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

RACEWAY PLAZA, INC.

The Articles of Incorporation were filed on February 27, 2004.

MICHAEL C. DESCHLER,
ESQUIRE
LITTNER, DESCHLER & LITTNER
512 North New Street
P.O. Box 1407
Bethlehem, PA 18016

Apr. 1

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on March 4, 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.

The name of the corporation is:

TWOFAKIND, INC.

John L. Obrecht, Esquire
1731 Main Street
Northampton, PA 18067

Apr. 1

**LIMITED LIABILITY
COMPANY NOTICE**

NOTICE IS HEREBY GIVEN that a Certificate of Organization for a Domestic Limited Liability Company has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on or about March 1, 2004, for the purpose of creating a Limited Liability Company under the Limited Liability Company Law of 1994, P.L. 703, No. 106.

The name of the limited liability company is:

EAST BANGOR

RESTORATION, L.L.C.

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

Apr. 1

**NOTICE OF NONPROFIT
INCORPORATION**

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation of a proposed corporation to be organized under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, as amended.

The name of the corporation is:

CONGREGATION

BETH AVRAHAM

The purpose of the corporation is to establish a Modern Orthodox

Jewish Synagogue for religious and charitable purposes, and to engage in other activities directly or indirectly related to, or which may assist in the accomplishment of such purposes.

KARL H. KLINE, ESQUIRE

KARL KLINE P.C.

2925 William Penn Highway

Suite 301

Easton, PA 18045-5283

Apr. 1

LEGAL SECRETARY

Part-time leading to full-time or full-time, hours flexible. Responsibilities include: legal correspondence, filing, data entry, answering telephones, scheduling. Must be organized, self motivated, detail oriented, and reliable. Send resume to Secretary, P.O. Box 1151, Easton, PA 18044-1151.

Apr. 1, 8, 15, 22, 29;

May 6, 13, 20

ASSOCIATE

Post & Schell, P.C. has an immediate opening in its Allentown office for an associate with 0 to 2 years experience in Workers' Compensation. Excellent salary and benefits package. Please e-mail your resume and cover letter to jburkhardt@postschell.com or by mail to 1245 S. Cedar Crest Blvd., Suite 300, Allentown, PA 18103 or by fax to (610) 433-3972.

Mar. 25; Apr. 1

ASSOCIATE

Center City Bethlehem insurance defense firm seeks an associate with one (1) to four (4) years experience in civil litigation. Send resume to R.E. Hall & Associates, P.C., 74 West Broad Street, Suite 330, Bethlehem, PA 18018.

Mar. 25; Apr. 1

PART-TIME LEGAL SECRETARY

Afternoons. General civil practice in downtown Bethlehem. Must have good organizational skills. Legal experience preferable but not necessary. Send resume to Kolb, Vasiliadis & Florenz, 74 W. Broad St., Suite 170, Bethlehem, PA 18018, or E-mail paf@kvflaw.net.

Mar. 25; Apr. 1

**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. 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 teh 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 recorded 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 message, 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 Penn-

sylvania, 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

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

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

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 con-

veyed 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 located 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 inter-

section 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 Westerly 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. 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 Angelica 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 in 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 dis-

tance 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. 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. 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 dis-

tance 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 and utility easements as shown on the final recorded plan.

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 MES-SUAGE, 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. 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 Not 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 West-erly 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 Northampton 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 WHITEHALL 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

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT
OF PENNSYLVANIA
IN RE: LOCAL RULE OF
BANKRUPTCY PROCEDURE 2016-2
and LOCAL BANKRUPTCY FORM 2016-2
NOTICE**

On February 23, 2004, the United States District Court for the Eastern District of Pennsylvania, acting under the authority of 28 U.S.C. §2071(e), adopted amendments to its Local Rule of Bankruptcy Procedure 2016-2, and to its Local Bankruptcy Form 2016-2, so as to limit their application solely to Chapter 13 bankruptcy actions. A copy of the aforesaid amended rule, and a copy of the aforesaid amended form, are attached. Copies of this amended rule and this amended form are also available at the Office of the Clerk of the Bankruptcy Court.

**FOR THE COURT:
JAMES T. GILES, Ch.J.**

**LOCAL RULE OF BANKRUPTCY
PROCEDURE 2016-2**

Compensation of Debtor's Counsel in Chapter 13 Cases:
Short Form of Application

- (a) *Content of Application.* If counsel for the debtor in a chapter 13 case will receive a total of \$1500 or less for all services rendered therein, an application required by F.R.B.P. 2016(a) shall include a description of services rendered and expenses incurred, and the total time expended.
- (b) *Form of Application.* An application or reimbursement of expenses that conforms substantially to L.B.F. 2016-2 satisfies the requirements of subdivision (a).

Effective February 23, 2004

IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: : CHAPTER 1

:

Debtor : BANKR. NO.

APPLICATION FOR

COMPENSATION AND REIMBURSEMENT OF EXPENSES

Name of applicant

applies under §330 of the Code for an award of compensation and reimbursement of actual, necessary expenses, and represents:

1. Applicant is counsel for the debtor.

2. All services rendered, and expenses incurred, for which compensation or reimbursement is requested were performed or incurred for or on behalf of the debtor, the services and expenses were actual and necessary, and the compensation requested for those services is reasonable.

3. The debtor paid applicant \$ _____ prior to the filing of the petition.

4. Applicant requests an award of compensation of \$ _____ for _____ hours expended in providing the following services:

(Description of Services)

5. Applicant requests reimbursement of expenses in the amount of \$ _____ for the following expenses:

(Description of Expenses)

6. None of the compensation paid to applicant will be shared with any person other than a member or regular associate of applicant's law firm.

WHEREFORE, Applicant requests an award of \$ _____ in compensation, and of \$ _____ in reimbursement, of actual and necessary expenses.

Dated: _____, 200__ Signed: _____

Applicant

By: _____

Name: _____

Address: _____

Phone No.: () _____

Fax. No.: () _____

Effective February 23, 2004

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT
OF PENNSYLVANIA
IN RE: LOCAL RULE OF BANKRUPTCY
PROCEDURE 2016-2
ORDER**

AND NOW, this 23rd day of February, 2004, pursuant to this court's authority pursuant to 28 U.S.C. §2071(e), it is hereby **ORDERED** that Local Rule of Bankruptcy Procedure 2016-2 is amended, effective immediately, to read as follows:

“Compensation of Debtor’s Counsel in Chapter 13 Cases: Short Form of Application

- (a) *Content of Application.* If counsel for the debtor in a chapter 13 case will receive a total of \$1500 or less for all services rendered therein, an application required by F.R.B.P. 2016(a) shall include a description of services rendered and expenses incurred, and the total time expended.
- (b) *Form of Application.* An application or reimbursement of expenses that conforms substantially to L.B.F. 2016-2 satisfies the requirements of subdivision (a).”

**FOR THE COURT:
JAMES T. GILES
Chief Judge**

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT
OF PENNSYLVANIA
IN RE: LOCAL BANKRUPTCY FORM 2016-2
ORDER**

AND NOW, this 23rd day of February, 2004, pursuant to the court's authority pursuant to 28 U.S.C. §2071(e), it is hereby **ORDERED** that the caption of Local Bankruptcy Form 2016-2 is amended, effective immediately to read as follows:

**“IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
In re: : CHAPTER 1
:
Debtor : BANKR. NO.
APPLICATION FOR
COMPENSATION AND REIMBURSEMENT
OF EXPENSES”
FOR THE COURT:
JAMES T. GILES
Chief Judge**

**MICHAEL F. RAAB, M.D., Plaintiff v. OFER J. SHUSTIK, M.D.
and OFER J. SHUSTIK, M.D., P.C. t/a
PALMER FAMILY PRACTICE, Defendants**

**MICHAEL F. RAAB, M.D., MICHAEL F. RAAB, M.D., P.C.,
Plaintiffs v. OFER J. SHUSTIK, M.D. and OFER J. SHUSTIK,
M.D., P.C. t/a PALMER FAMILY PRACTICE, Defendants**

*Motion To Compel Production of Documents—Motion To Compel Oral
Testimony—Pa. R.C.P. 4003.1(a)—Pa. R.C.P. 4011—Discoverability of
Federal Income Tax Returns.*

Plaintiff filed a Motion to Compel the production of Defendant's, Ofer J. Shustik, M.D., personal federal income tax returns. Defendant objected to the disclosure of his personal federal income tax returns claiming they are irrelevant to the claims asserted concerning the transfer of a medical practice. The Court determined that in order for personal federal income tax returns to be discoverable as relevant to the litigation, the income and earnings must be related to the issue involved. The Court found that all of the damages sought by the Plaintiff were based solely upon the terms of the Agreement, not upon the earnings of Defendant. Further, the Court noted that there are serious privacy interests in the disclosure of this type of financial data and Plaintiff failed to show a compelling need for such documentation.

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C0048CV2000000851 and No. C0048CV2001000451.

Order of Court entered denying Motions to Compel.

THOMAS L. WALTERS, ESQUIRE, for Plaintiff.

SUSAN ELLIS WILD, ESQUIRE, for Defendant.

Order of Court entered May 19, 2003 by PANELLA, J.

ORDER

AND NOW, this 19th day of May 2003, upon consideration of Plaintiff's Motion to Compel Production of Documents and Motion to Compel the Giving of Oral Testimony, and Defendant's response thereto, it is hereby ORDERED and DECREED that said Motions are DENIED.

STATEMENT OF REASONS

I. Statement of Facts and Procedural History

On or about April 2, 1998, Plaintiff entered into an Agreement with the Defendant, Ofer J. Shustik, M.D., which Agreement was predated to January 1, 1998. The Agreement was for the sale and purchase of certain assets of the Palmer Family Practice, an entity owned and operated by

Michael F. Raab, M.D., consisting of the practice of primary care medicine and family medicine at its main office located at 3600 Northwood Avenue, Palmer Township, as well as at a branch office located in Pen Argyl, Pennsylvania.

The Agreement, when signed, was incomplete because it did not include an Employment Contract referred to in the Agreement.

During the months subsequent to execution of the Agreement, the parties began to implement the transfer of assets and the assumption of liabilities as set forth in the Agreement. Defendant assumed control over Plaintiff's professional corporation, Michael F. Raab, M.D., P.C. t/a Palmer Family Practice, and began to operate the practice as the sole and exclusive owner. Plaintiff continued to maintain the status of employee of the new corporation created Dr. Shustik [sic]. During the course of this employment and, as a result of the originally executed Agreement, a series of financial claims were asserted by each party against the other. Upon the conclusion of Dr. Raab's employment term with Palmer Family Practice, he continued to maintain positions as a Medical Director for the Care Center of Phillipsburg, the Care Center of Brakely Park and Care Center of Lopatcong, New Jersey, the Slate Belt Medical and Rehabilitation Center, and he continued to teach, lecture and consult for the Warren Hospital Geriatric Assessment Service. Dr. Shustik refused to pay Plaintiff any balances due for the practice under the terms of the Agreement because Defendant alleges that Dr. Raab breached the terms of paragraph 8 of the Agreement.

As a result, Dr. Raab instituted an action for Declaratory Judgment against Defendant for the purpose of having a judicial determination that his actions were not violative of the restrictive covenant contained in paragraph 8 of the Agreement. Defendant then filed a Counterclaim against Plaintiff, asserting fraud, misrepresentation and negligent misrepresentation relative to a computer system which was transferred by way of the Agreement of Sale. While the Declaratory Judgment action was pending, on January 18, 2001, Plaintiff commenced a second lawsuit against Defendant for breach of contract. The cases were consolidated by this Court for trial. In response thereto, Defendant filed an Answer with New Matter and two Counterclaims. Defendant sought, in the first Counterclaim, an accounting of all money Plaintiff received from teaching, lecturing, providing geriatric assessment, or acting as Medical Director; in the second Counterclaim, Defendant sought damages in the amount of ten percent of all such money earned by Plaintiff in 1999.

This case has previously been before the Court on several discovery motions. On March 21, 2003, the undersigned was assigned this matter off of the Miscellaneous Hearing List. The undersigned met with counsel for both parties in chambers. Counsel for Plaintiff, Thomas L. Walters, Esquire, presented a Motion to the undersigned seeking to compel the pro-

duction of Dr. Shustik's personal federal income tax returns and to compel the Defendant to give oral testimony with respect to the information therein. The matter was placed on the April 29, 2003 Argument List. Upon review of the record, as well as the memoranda of law filed by counsel for both parties, the matter is now ready for disposition.

II. Discussion

Plaintiff, Michael F. Raab, M.D., is seeking to compel Defendant, Ofer J. Shustik, M.D., to produce copies of his personal federal income tax returns for the years 1998, 1999, 2000, 2001 and 2002. Further, Plaintiff is seeking to compel Defendant to provide oral testimony relating to information contained in the tax returns. Defendant objects to the disclosure of his personal federal income tax returns claiming they are irrelevant to the claims asserted in the underlying action concerning the transfer of a medical practice.

A. Scope of Discovery

Rule 4003.1 of the Pennsylvania Rules of Civil Procedure delineates the scope of discovery generally. The rule provides that "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" See Pa. R.C.P. 4003.1(a). The requirement of relevancy is to be interpreted liberally permitting discovery if there is any conceivable basis of relevancy. *In Re: Greco Appeal*, 30 D. & C. 3d, 661, 662-63 (Beaver Cty. 1984). In determining the discoverability of particular matters, courts have always resolved relevancy problems with liberality and generosity in favor of the litigant seeking, in good faith, information essential to a just presentation of his case. *Fitt v. General Motors Corporation*, 13 D. & C. 4th 336, 338 (Lacka. Cty. 1992); *Hull v. Hudson Coal Co.*, 64 Lacka. Jur. 157, 159 (1962); *Dibble v. Simplex Industries*, 80 Lacka. Jur. 62, 63 (1979). An objecting party may not object on the ground that the information sought would be inadmissible at trial. Pa. R.C.P. 4003.1(b). The scope of discovery covers any information which "appears reasonably calculated to lead to the discovery of admissible evidence." *Id.* However, Pa. R.C.P. 4011 limits the scope of discovery in civil matters. Discovery is prohibited if sought in bad faith; causes unreasonable annoyance, embarrassment, oppression, burden or expense to the deponent or any person or party; is beyond the scope of discovery; or would require the making of an unreasonable investigation by the deponent or any party or witness.

B. Discoverability of Federal Income Tax Returns

We now turn to the question of whether the Defendant, Ofer J. Shustik, M.D. should be required to provide the Plaintiff with copies of his 1998,

1999, 2000, 2001 and 2002 personal federal income tax returns. It has been held that “an individual’s tax return information is properly discoverable in certain situations.” *Horwath v. Brownmiller*, 51 D. & C. 4th 33, 40 (Monroe Cty. 2001). “[F]ederal income tax returns are not privileged, and ... courts have the power to compel the production of copies thereof where the information contained in the returns is relevant to the issues involved.” *Kine v. Forman*, 205 Pa. Super. 305, 312, 209 A.2d 1, 4 (1965); *In Re: Greco Appeal*, supra at 662; *Davis v. Buckham*, 68 D. & C. 2d 734, 737-38 (Bucks Cty. 1975); *Haverford Hall, Inc. v. Hamilton Arms, Inc.*, 34 D. & C. 2d 22 (Delaware Cty. 1962); *Noonan v. McGuire*, 11 D. & C. 2d 543, 547 (Allegheny Cty. 1953); *PaineWebber, Inc. v. Devin*, 442 Pa. Super. 40, 658 A.2d 409 (1995). “Generally, broad and liberal discovery is encouraged but, this policy favoring generous discovery must be balanced against other public policies, which favor the nondisclosure of tax returns as confidential communications between the taxpayer and the government.” *Horwath*, supra at 43. To balance these interests, we must apply a two-part test.

“First, the party seeking discovery must demonstrate relevance. Second, if relevant, the returns will be discoverable unless the party resisting discovery meets its burden of proving that there is no compelling need for the returns because an alternative source for the information exists.” *Id.* Applying this two-part test to the instant matter, we conclude that the Plaintiff, Michael F. Raab, M.D., has failed to establish the relevance of Defendant’s personal federal income tax returns to the underlying dispute.

In the instant case, it is highly unlikely that having Defendant’s personal income tax returns will aid Plaintiff’s counsel in preparing for trial in the examination and cross-examination of witnesses at the trial. See *Gagliardi v. Tozzi*, 44 D. & C. 2d 492 (1968). The income and earnings must be related to the issues involved. The income and earnings must aid in either the substance of plaintiff’s claim, or to a party’s credibility, or perhaps both. See *Winck v. Daley Mack Sales Inc.*, 21 D. & C. 3d 399, 402 (Somerset Cty. 1980). In the case *sub judice*, Plaintiff filed a declaratory judgment action, as well as a breach of contract action, against Defendant. Defendant’s personal federal income tax returns are simply not relevant to the issues raised in Plaintiff’s Complaint. Pension benefits, income generated from “non-medical practice activity” (teaching, lecturing and acting as Medical Director), benefits for vacation and conference time, accounting fees, and gross revenues of Palmer Family Practice are not related in any manner to Defendant’s personal income. It is clear from the record that all of the damages sought by Plaintiff are based upon the terms of the Agreement, not upon the earnings of Defendant.¹ Furthermore, Defendant’s personal income tax returns are not relevant to a defense of Defendant’s coun-

¹ Plaintiff’s breach of contract claim does not contain a count to pierce the corporate veil, whereby Ofer J. Shustik, M.D., may become personally liable. Such a count may have changed this Court’s disposition of this Motion.

terclaim for breach of contract, *i.e.*, the restrictive covenant contained in the Agreement, and negligent and fraudulent misrepresentation.

To the contrary, the corporate tax returns of Palmer Family Practice are clearly relevant to the allegations raised by Plaintiff, as well as to Plaintiff's defense of Defendant's counterclaims. In fact, this Court has previously ordered the production of the corporate tax returns of Ofer J. Shustik, M.D., P.C., t/a Palmer Family Practice. The record reveals that Defendant has complied with such Court orders.

While we recognize that discovery procedures must allow a certain amount of "fishing" to see if there is any helpful data in the records, in the instant matter, the risks of disclosing irrelevant and otherwise privileged material outweigh the benefits and relevance of the personal tax returns. The Defendant's income tax returns were jointly filed by him and his wife,² and may include irrelevant and confidential material to which Plaintiff would not otherwise be entitled to access. Defendant's personal income tax returns may contain income derived from other sources, outside his medical practice, and as such, we are not inclined to disclose that otherwise privileged information. There are serious privacy interests in the disclosure of this type of financial data and Plaintiff has failed to show a compelling need for such documentation. As such, Plaintiff's Motion is denied.

C. Oral Testimony Relating to Tax Returns

Plaintiff is also seeking to compel Defendant, Ofer J. Shustik, M.D., to give oral testimony regarding information contained in the tax returns. At the deposition of Ofer J. Shustik, M.D., Defendant refused to answer questions regarding the P.C.'s corporate returns. Specifically, Defendant refused to answer any questions other than those relating to line 1 A, gross receipts of sales. As stated previously, this Court ordered the production of the corporate tax returns. Our Order in no way compelled Ofer J. Shustik, M.D., to provide oral testimony as to the information contained in the returns.

We find that the records themselves are self-explanatory. However, if there is any information in those returns, directly related to the corporation, which Plaintiff believes need further clarification, we will entertain a request, at that time, to determine its relevancy to the underlying action, prior to compelling Defendant answer.

² Defendant's wife, Miriam Shustik, M.D., is an employee of Ofer J. Shustik, M.D., P.C., t/a Palmer Family Practice.