

Northampton County Reporter

(USPS 395-280)

VOL. LIII

EASTON, PA October 21, 2004

NO. 95

David Savage, Plaintiff v. Angela Savage, Defendant

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INSERTS: Green

1. "The Latest Developments & Current Trends"
2. Workers' Comp—Step 3
"Preparation for Trial/Hearing"
3. "Bridge the Gap Program"
4. PBI/CLE Seminars @ NCBA,
BALC & I.U. 20

Gray:

2004 Bench Bar Conference
Theme:
"Let's Face It!"

NOTICE TO THE BAR...

The Pennsylvania Bar Association's public education campaign for 2004 is "Estate Planning." The NCBA is in receipt of brochures on "Protect Your Family's Future... Today: The Truth about Wills and Trusts." The brochure provides information about Wills, the probate process and trusts as well as the need to consult an attorney to assist in estate planning. If you would like some brochures for your office, please contact the NCBA.

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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.

Subscription Price—\$55.00 per year.

Periodical Postage Paid at Easton, PA and additional office.

Postmaster; Send all communications and address changes to:

NORTHAMPTON COUNTY REPORTER

155 South Ninth St., Easton, PA 18042-4399

Telephone (610) 258-6333 FAX (610) 258-8715

Robert C. Brown, Jr., Esquire

Editor

NOTICES TO NCBA MEMBERS—BAR NEWS

☞ **PLEASE NOTE THAT THE FOLLOWING SEMINAR HAS BEEN MOVED TO A NEW LOCATION:** The **October 29th** “Workers’ Comp Judges Reception/Seminar” has been moved *from* the Jury Lounge *to* the NCBA Facility due to the construction at the Courthouse.

☞ **PLEASE NOTE** that PEMA/FEMA is recruiting volunteer lawyers to help answer victims’ legal questions that have been devastated by the damage caused by the severe storms and flooding that struck several areas of the state in the last two weeks. Please see inside for details and contact the Bar Association to receive a Volunteer Resource Guide.

☞ **PLEASE NOTE** that a student is looking for law related work after school. If you could use some extra help, please contact Victoria Schwab at (610) 866-4207 or (484) 767-5683.

☞ **INCLUDED IN THIS ISSUE** are announcements & registration forms for the **(1) October 29th**—“Workers’ Comp Judges/Reception” *to be held at the NCBA Facility—not the Jury Lounge.*

(2) November 5th—“Quarterly Association Meeting & Bench/Bar Conference.”

(3) November 11th—“Workers’ Comp—Step 3—Preparation for Trial/Hearing.”

(4) November 19th—“Bridge the Gap Program”

COMMITTEE MEETINGS:

Nov. 9th—Solo Practitioner Committee Mtg.—NOON @ NCBA

☞ **PBI/CLE SEMINARS @ NCBA**—“Evidence in Personal Injury Cases” is scheduled for **Thursday, October 27, 2004** from 9:30 a.m. to 1:30 p.m., 4 Substantive CLE Credits. As always, registration begins at 9:00 a.m. Register early by calling (800) 932-4637 or go online at www.pbi.org

☞ **BAR ASSOCIATION OF LEHIGH COUNTY**

SPONSORED 2004 SEMINARS:

[**October 26th**—“Strategies for Representing Victims of Domestic Violence”]

[**November 3rd**—“Mortgages/Foreclosures/Judgments”] [**November 9th**—“The Use of Humor to Make the Practice Law More Palatable”] Call BALC for details such as times, fees, credits, meals and/or to register at (610) 433-6401, Ext. 16.

☞ **REAL FACTS:** *The first food eaten in space by a U.S. astronaut was applesauce.*

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**BRAY, ALLEN a/k/a F. ALLEN**

BRAY, dec'd.

Late of Pen Argyl, Northampton County, PA

Co-Executors: Linda J. Bray, HCR #1, Box 152, Saylorsburg, PA 18353 and James E. Bray, 3442 Byrons Corner Road, Constableville, NY 13325

Attorney: John J. McGee, Esquire, 9 S. 8th Street, Stroudsburg, PA 18360

DIETZ, EMORY W., dec'd.

Late of the Borough of Bangor, Northampton County, PA

Executor: Gaylord E. Weidlick, Jr. 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

KIMBER, KAREN S., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Co-Administratrices: Krisann Bachert and Tracy White c/o Law Office of Anne P. Felker, 539 Center Street, P.O. Box

190, Bethlehem, PA 18016-0190

Attorneys: Law Office of Anne P. Felker, 539 Center Street, P.O. Box 190, Bethlehem, PA 18016-0190

KOKOSKY, MARY, dec'd.

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

Executor: John J. Kokosky, Jr., 2710 Liberty Street, Easton, PA 18042

Attorneys: Alfred S. Pierce, Esquire, I.D. No. 21445, Pierce & Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

MUFFLEY, EDNA M., dec'd.

Late of the Township of Moore, Northampton County, PA

Executor: Charles D. Muffley c/o Michael E. Riskin, Esquire, Riskin and Riskin, 18 E. Market St., P.O. Box 1446, Bethlehem, PA 18016-1446

Attorneys: Michael E. Riskin, Esquire, Riskin and Riskin, 18 E. Market St., P.O. Box 1446, Bethlehem, PA 18016-1446

RICE, AUGUSTA, dec'd.

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

Co-Executrices: Lydia Williams, 1785 Georgetown Rd., Nazareth, PA 18064 and Priscilla Ann Silfies, 653 E. Dell Rd., Bath, PA 18014

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

ROWE, SHIRLEY M., dec'd.

Late of the Township of Plainfield, Northampton County, PA

Executrix: Cynthia May 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

SAURER, FRANK J., JR., dec'd.
Late of Moore Township, Northampton County, PA
Executor: Wayne Yanders c/o Frank M. Skrapits, Esquire, Affiliated with Steckel & Stopp, 2152 Main Street, Northampton, PA 18067-1211
Attorneys: Frank M. Skrapits, Esquire, Affiliated with Steckel & Stopp, 2152 Main Street, Northampton, PA 18067-1211

YOUNG, DOROTHY E., dec'd.
Late of Palmer Township, Northampton County, PA
Administrator: Thomas H. Young c/o Harry J. Newman, Esquire, 915 West Broad Street, Bethlehem, PA 18018
Attorney: Harry J. Newman, Esquire, 915 West Broad Street, Bethlehem, PA 18018

SECOND PUBLICATION

BAHRMAN, JOSEPHINE C., dec'd.
Late of the City of Bethlehem, Northampton County, PA
Executor: Harold A. Eisenhauer c/o Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726
Attorney: Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

BRINSKO, DEBORAH, dec'd.
Late of the City of Bethlehem, Northampton County, PA
Executrix: Diane Petkavich 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

CICCARELLI, DOMENIC, dec'd.
Late of the Borough of Bangor, Northampton County, PA
Executor: Thomas R. Ciccarelli c/o David J. Ceraul, Esquire, 22 Market Street, P.O. Box 19, Bangor, PA 18013-0019

Attorney: David J. Ceraul, Esquire, 22 Market Street, P.O. Box 19, Bangor, PA 18013-0019

KOEHLER, VERNA E., dec'd.
Late of Allen Township, Northampton County, PA
Co-Executors: Edwin Koehler, 5020 Washington Avenue, Whitehall, PA 18052 and Glenn Koehler, Rt. 1, Box 1478, Saylorburg, PA 18353
Attorney: Daniel G. Spengler, Esquire, 110 East Main Street, Bath, PA 18014

LAZZARA, CARMELA VERONICA a/k/a MILLIE VERONICA LAZZARA, a/k/a CARMELA LAZZARA a/k/a MILLIE LAZZARA, dec'd.

Late of the City of Easton, Northampton County, PA
Executor: Joseph A. Bubba c/o Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219

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

MALETSKY, ANNA, dec'd.
Late of the Township of Palmer, Northampton County, PA
Executor: Bernerd W. Maletsky, Jr., 2723 Freemansburg Avenue, Easton, PA 18045

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

MURETTA, FRANK, dec'd.

Late of Easton, Northampton County, PA

Co-Executrices: Carol Snyder and Joyce Clause c/o Nancy K. Busch, Esquire, 825 North 19th Street, Allentown, PA 18104

Attorney: Nancy K. Busch, Esquire, 825 North 19th Street, Allentown, PA 18104

PARKER, GLEN E., dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Richard W. Shaffer, Esquire, White and Williams, LLP, 3500 Winchester Road—200, Allentown, PA 18104-2263

Attorneys: Richard W. Shaffer, Esquire, White and Williams, LLP, 3500 Winchester Road—200, Allentown, PA 18104-2263

PAVLINSKY, MARY ANN a/k/a MARY A. PAVLINSKY, dec'd.

Late of Bethlehem, Northampton County, PA

Co-Executors: Irene F. Giordano and Michael G. Pavlinsky 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

SCHMOYER, ROBERT R., dec'd.

Late of Northampton County, PA

Executrix: Susan W. Wagner, 4 Overlook Lane, Bath, PA 18014

THIRD PUBLICATION

AZAIN, JOHN R., dec'd.

Late of Easton, Northampton County, PA

Administratrix: Betsy Ann Azain c/o Donald LaBarre, Jr., Esquire, Gross, McGinley, LaBarre & Eaton, LLP, P.O. Box 4060, Allentown, PA 18105-4060

Attorneys: Donald LaBarre, Jr., Esquire, Gross, McGinley, LaBarre & Eaton, LLP, P.O. Box 4060, Allentown, PA 18105-4060

DALMATI, IRENE a/k/a IRENE H. DALMATI, dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Co-Executors: Eileen C. Brown and Robert H. Littner 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

GILLESPIE, FRANKLIN B., JR. a/k/a FRANK B. GILLESPIE, JR., dec'd.

Late of Hanover Township, Northampton County, PA

Executrix: Lisa Lutz Gillespie c/o Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219

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

JENKINS, DORIS S., dec'd.

Late of the Township of Moore, Northampton County, PA

Executrix: Jennifer A. Leseberg, HCR #1, Box 59, Sciota, PA 18354

Attorney: Daniel G. Spengler, Esquire, 110 East Main Street, Bath, PA 18014

KANIPER, VIRGINIA F., dec'd.

Late of the Township of Palmer, Northampton County, PA
 Executrix: Jeanne K. Aquilante c/o Karl H. Kline, Esquire, Karl Kline P.C., 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283
 Attorneys: Karl H. Kline, Esquire, Karl Kline P.C., 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

MILLER, CHARLES a/k/a CHARLES S. MILLER, dec'd.

Late of the Borough of Wilson, Northampton County, PA
 Executrix: Linda Fournier, 2765 Freemansburg Avenue, Easton, PA 18045
 Attorney: Christopher T. Spadoni, Esquire, 1216 Linden Street, P.O. Box 1409, Bethlehem, PA 18016

PURSELL, ELIZABETH F., dec'd.

Late of the City of Bethlehem, Northampton County, PA
 Administrator: William M. Pursell c/o Keith D. Cacciatore, Esquire, Newman, Fox & Cacciatore, 915 West Broad Street, Bethlehem, PA 18018
 Attorneys: Keith D. Cacciatore, Esquire, Newman, Fox & Cacciatore, 915 West Broad Street, Bethlehem, PA 18018

SACKS, DAVID G., dec'd.

Late of the City of Easton, Northampton County, PA
 Co-Executors: Carol A. Voletto, 26 Clayton Circle, Werners-

ville, PA 19565 and Philip A. Sacks, 426 Old Grade Rd., Wind Gap, PA 18091

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

TAUSCHMAN, MARIE E., dec'd.

Late of 2415 Front Street, Easton, Northampton County, PA

Co-Executrices: Cynthia Gradwohl, 2415 Front Street, Easton, PA 18042 and Cathy Narvaez, 4386 Hecktown Road, Bethlehem, PA 18020

Attorneys: David A. Martino, Esquire, Zito, Martino and Karasek L.L.P., PA Rte., 209, P.O. Box 420, Brodheads ville, PA 18322

ZIMMERMAN, JO ANNE, dec'd.

Late of the Borough of Wilson, Northampton County, PA

Administratrix: Lisa Boehm c/o Steven N. Goudsouzian, Esquire, 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

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

NOTICES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, effective October 1, 1989, as amended for the following corporation:

535 GIFTS AND GALLERY, INC.

John J. Hare, Jr., Esquire
Commonwydds Suite A-6
2370 York Road
Jamison, PA 18929

Oct. 21

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.

The name of the corporation is:

AUTOWORK

BY TOM LUTZI, INC.

The Articles of Incorporation were filed on October 13, 2004.

JAMES G. MURPHY, ESQUIRE

MURPHY & MURPHY, P.C.

106 N. Franklin St.

Suite 2

P.O. Box 97

Pen Argyl, PA 18072

Oct. 21

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State for the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, Act of December 21, 1988 (P.L. 1444, No. 177) by the following corporation:

The name of the corporation is:

EAST PENN BUSINESS

MACHINES, INC.

The Articles of Incorporation were filed on September 14, 2004.

DANIEL K. McCARTHY, ESQUIRE
McCARTHY & ANEWALT, L.L.P.
1248 Hamilton Street
Allentown, PA 18102

Oct. 21

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, approved December 21, 1988 (P.L. 1444, No. 177), as amended, by the following corporation:

The name of the corporation is:

TENDER COMPANION

CARE, INC.

The Articles of Incorporation were filed on October 1, 2004.

The purpose for which is was organized is: The corporation shall have unlimited power to engage in and to do any lawful business for which corporations may be incorporated under the Business Corporation Law of Pennsylvania, Act of December 21, 1988 (P.L. 1444, No. 177), as amended.

TODD H. LAHR, ESQUIRE

LAHR & LAHR

4972 Medical Center Circle

Allentown, PA 18106-9692

Oct. 21

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.

TRINIS, INC.

The Articles of Incorporation were filed on September 23, 2004.

MICHAEL C. DESCHLER,
ESQUIRE

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

Oct. 21

**FICTITIOUS NAME
REGISTRATION NOTICES**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act No. 295 of 1982 (54 Pa.C.S. Section 311(g)) of the filing in the Office of the Secretary of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania, on April 23, 2004, of a Certificate for the conduct of a business in Northampton County, Pennsylvania, under the assumed or fictitious name, style or designation of:

**CHIEF LOGAN
SPORTSMAN'S PRESERVE**

with its principal place of business at: 619 East Lawn Road, Nazareth, Pennsylvania 18064.

The name and address of the person owning or interested in said business is: James K. Carty, 619 East Lawn Road, Nazareth, Pennsylvania 18064.

Oct. 21

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Fictitious Name Act of December 16, 1982, P.L. 1309, No. 295, application for registration of a fictitious name was filed in the office of the Secretary of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the conduct of business in Northampton County, Pennsylvania, under the assumed or

fictitious name, style or designation of:

YESTERDAYS JEWELS

with its principal place of business at: 828 Dellwood St., Bethlehem, PA 18018. The name and address of the person owning or interested in said business is: Linda S. Heberling, 828 Dellwood St., Bethlehem, PA 18018.

Oct. 21

**NOTICE OF NONPROFIT
INCORPORATION**

NOTICE IS HEREBY GIVEN that an Article of Incorporation Nonprofit has 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:
WILSON MANOR

CONDOMINIUM ASSOCIATION

The Articles of Incorporation-Nonprofit were filed on October 7, 2004. JAMES L. BROUGHAL, ESQUIRE
BROUGHAL & DeVITO, L.L.P.
38 West Market Street
Bethlehem, PA 18018

Oct. 21

**LIMITED LIABILITY COMPANY
NOTICES**

NOTICE IS HEREBY GIVEN that a Certificate of Organization-Domestic Limited Liability Company has been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Organization under the provisions of Title 15, Corporations and Unincorporated Associations at

15 Pa. C.S.A. 8901 et seq., approved December 7, 1994, P.L. 703, No. 106(4).

The name of the domestic limited liability company is:

J. BRIAN STRAKA, D.M.D., LLC

The Certificate of Organization was filed on September 21, 2004.

PETERS, MORITZ, PEISCHL,
ZULICK & LANDES

1 South Main Street
Nazareth, PA 18064

Oct. 21

NOTICE IS HEREBY GIVEN that a Certificate of Organization-Domestic Limited Liability Company has been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Organization under the provisions of Title 15, Corporations and Unincorporated Associations at 15 Pa. C.S.A. 8901 et seq., approved December 7, 1994, P.L. 703, No. 106(4).

The name of the domestic limited liability company is:

KID CARE THERAPY, LLC

The Certificate of Organization was filed on September 22, 2004.

PETERS, MORITZ, PEISCHL,
ZULICK & LANDES

1 South Main Street
Nazareth, PA 18064

Oct. 21

NOTICE IS HEREBY GIVEN that the Certificate of Organization-Domestic Limited Liability Company has been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Organization for a Domestic Limited Liability Company to be organized under the provisions of Title 15, Corporations and Unincorporated Associations at 15

Pa. C.S.A. 8901 et al., approved December 7, 1994, P.L. 703, No. 106 §4, effective in sixty (60) days.

The name of the domestic limited liability company is:

VERA CRUZ

CAFÉ MARKET, L.L.C.

The corporation shall have unlimited power to engage in and to do any lawful act concerning any and all lawful business for which corporations may be incorporated under the 1988 Business Corporation Law.

MICHAEL F. CORRIERE,
ESQUIRE

I.D. No. 62255

HABER, CORRIERE &
BACKENSTOE,

A Professional Corporation

433 East Broad Street

P.O. Box 1217

Bethlehem, PA 18016-1217

(610) 865-5566 (Telephone)

(610) 865-3889 (Telefax)

Oct. 21

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

In Re: K.M.R. minor child of
P.D.R. and G.C.

NO. 2004-0108

CONFIRMATION OF CONSENT
AND/OR INVOLUNTARY
TERMINATION OF
PARENTAL RIGHTS

TO: George Conner a/k/a
George Connor, natural, putative
and/or presumptive father of
K.M.R., a child born to Patricia
Diane Repnyek on October 1, 1996
NOTICE

A Petition has been filed asking the Court to put an end to all rights you have to your child: K.M.R. The Court has set a hearing to consider ending your rights to your child. The

hearing will be held in Room 229, Northampton County Government Center, 669 Washington Street, Easton, Pennsylvania, on November 2, 2004 at 10:00 o'clock A.M. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have the right to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once.

If you cannot afford a lawyer, go to or telephone the office set forth below to find out where you can get legal help.

Lehigh Valley Legal Services
65 E. Elizabeth Ave.
Suite 903
Bethlehem, PA 18018
(610) 317-8757

If you can afford to hire a lawyer but do not have a lawyer, go to or telephone the office set forth below to find out where you can get legal help.

Lawyer Referral Service
155 South Ninth Street
Easton, PA 18042
(610) 258-6333

Oct. 21

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

LISA YERKES,
Plaintiff

vs.

WALTER GEBHARD; and
JEFFREY YERKES,
Defendants

NO. C0048CV2004005122

CIVIL ACTION

JURY TRIAL DEMANDED

Nature of Action: The above ac-
tion arises out of an automobile ac-

cident which occurred on or about 8/15/02 at the intersection of the Exxon Parking lot and Larry Holmes Drive, in Easton, Northampton County, Pennsylvania, wherein the Plaintiff was a passenger in a vehicle driven by Defendant, Jeffrey Yerkes, and which was struck by a vehicle driven by Defendant, Walter Gebhard. Lisa Yerkes sustained personal injuries in the accident, and makes claim for money damages for both economic losses and noneconomic losses.

**NOTICE TO DEFENDANT,
JEFFREY YERKES**

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PA-
PER TO YOUR LAWYER AT ONCE.
IF YOU DO NOT HAVE A LAWYER
OR CANNOT AFFORD ONE, GO TO
OR TELEPHONE THE OFFICE SET
FORTH BELOW TO FIND OUT
WHERE YOU CAN GET LEGAL
HELP.**

LAWYER REFERRAL SERVICE
155 South 9th Street
Easton, PA 18042
Telephone
(610) 258-6333

Oct. 21

ASSOCIATE

Allentown medical malpractice personal injury law firm seeks associate with 1 to 3 years experience to manage discovery, write briefs and motions and assist in trial

preparation. Great learning experience, chance for growth. Must have excellent writing and organizational skills. Word processing. Reply to Peter J. Karoly and Associates, 1511-1525 Hamilton St., Allentown, PA 18102, or Fax (610) 432-3377. All inquiries handled in confidence.

Oct. 14, 21

ASSOCIATE

Busy solo practitioner with practice focused on labor and employment discrimination litigation seeking full-time associate. Salary and benefits commensurate with experience. Position carries with it additional economic incentives as well as the possibility of a future proprietary interest in the practice, depending upon performance. Electronic replies are encouraged; send to dprussol@verizon.net or, mail resume and response to Donald P. Russo, Esquire, P.O. Box 1890, Bethlehem, PA 18016-1890. No phone calls please.

Sept. 30; Oct. 7, 14, 21

LEGAL SECRETARY

Immediate opening for an experienced full-time or part-time legal secretary at Lehigh Valley law firm's Northampton County location. Salary commensurate with experience. Send resume with salary requirements to Thomas, Conrad & Conrad, 107 E. Main Street, Bath, PA 18014 or fax to (610) 837-8072.

Oct. 21

SHERIFF'S SALE OF VALUABLE REAL ESTATE

The following real estate will be sold by the Sheriff of Northampton County, Pennsylvania, on November 5, 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. 1

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2004-003732

ALL that certain message or tenement and lot or piece of land lying and being on the East side of North Eleventh Street, in the City of Easton, County of Northampton and State of Pennsylvania, and known as No. 24 North Eleventh Street, bounded and described as follows, to wit:

BEGINNING at a point on the East side of North 11th Street, thirty-three and one-third (33-1/3) feet North of Church Street; thence running Northwardly along the East side of said North Eleventh Street, thirteen and one-third (13-1/3) feet, more or less, to other property now or late of Harry E. Grower; thence extending Eastwardly of that width one hundred (100) feet in depth to a ten feet wide alley. Bounded on the North by other property now or late of Harry E. Grower, on the East by said ten feet wide alley, on the South by property now or late of Samuel Brown and on the West by said North Eleventh Street.

TAX PARCEL NO. L9SE1A-10-22.

BEING the same premises which Margaret J. Herster, by Deed dated November 1, 2001 and recorded in the Office of the Recorder of Deeds of Lancaster County on November 2, 2001, in Deed Book Volume 2001-1, Page 232182, granted and conveyed unto Brad W. Hinkel.

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

SEIZED AND TAKEN into execution of the writ as the property of Brad W. Hinkel.

KRISTINE M. ANTHOU, ESQUIRE

No. 4

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2003-008119**

ALL THAT CERTAIN lot or piece of ground with brick dwelling house thereon situated on the North side of Butler Street, known as 1111 Butler Street, in the City of Easton, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at the point of intersection of the line extending through the middle of the partition w;; between this property and the property known as 1113 Butler Street, adjoining on the West, with the North side of Butler Street; thence extending Eastwardly along the North side of Butler Street, 12 feet 9 inches; thence Northwardly along line extending through the middle of the partition wall between this property and the property known as 1109 Butler Street, adjoining on the East, property now or late of Henry G. Merwarth, 125 feet to a private alley; thence Westwardly along the South side of said private alley, 12 feet 9 inches; thence Southwardly along line extending through the middle of the partition wall first mentioned and along the property of Clarence P/ Merwarth, 125 feet to the place of beginning.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SE1D-26-14.

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

SEIZED AND TAKEN into execution of the writ as the property of Charles F. Dittmar, as real owner and mortgagor and Jean D. Dittmar, as mortgagor.

BARBARA A. FEIN, ESQUIRE

No. 8

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-000953**

ALL THAT CERTAIN lot, piece or parcel of land with the messuage or tenement number 1404 Wood Street thereon erected, situate, lying and being in the Fifteenth Ward of the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, more particularly bounded and described as follows, to wit:

BEGINNING at a point in the Easterly side or line of Wood Street, distant twenty-two and eleven hundredths (22.11) feet Northerly from the intersection of the Easterly line of Wood Street with the Northerly line of Turner Street, said point being also 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 it immediately on the South; thence extending Northwardly in and along the Easterly line of Wood Street aforesaid, a distance of twenty-one and sixty-eight hundredths (21.68) 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 it immediately on the North; and thence extending Eastwardly of that same width of twenty-one and sixty-eight hundredths (21.68) feet and at right angles to Wood Street, a distance of one hundred and two hundredths (100.02)

feet to the Westerly line of an unnamed twenty (20) feet wide street.

BOUNDED on the North by land now or formerly of Charles W. Anthony; on the East by an unnamed twenty (20) feet wide street; on the South by land now or formerly of Anthony Paseno; and on the West by Wood Street.

TITLE TO SAID PREMISES IS VESTED IN Peter J. Rivera and Kimberly A. Rivera, his wife by Deed from Edward J. Dennis and Tracy A. Dennis, his wife, dated 12/30/1997 and recorded 12/31/1997 in Volume 1997-1, Page 145626.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: N6SE3A-15-7.

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

SEIZED AND TAKEN into execution of the writ as the property of Peter J. Rivera and Kimberly A. Rivera.

FRANK FEDERMAN, ESQUIRE

No. 9
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-001767

ALL THAT CERTAIN dwelling situate in the County of Northampton, City of Bethlehem and Commonwealth of Pennsylvania, known and numbered as 1420 E. Eighth Street, Bethlehem, Northampton County, Pennsylvania, and being more fully described as follows, to wit:

BEGINNING at a point in the southern line of Eighth Street, one hundred forty-four feet (144') east from the southeast corner of Eighth Street and Brinker Avenue; thence extending along the south side of said Eighth Street eastwardly a frontage of eighteen feet (18') to a

point, said point being the exact middle of a tile brick partition or party wall dividing the house erected on these premises from the one adjoining it on the east; thence extending of that same width between parallel lines southwardly one hundred feet (100') to a fifteen feet (15') wide alley. Being the eastern sixteen feet (16') of Lot No. 92 and the western two feet (2') of Lot No. 93 according to map of "Brinker Terrace" by F. H. Ville, C.E., January, 1914, duly recorded.

BOUNDED on the North by Eighth Street, on the East by premises now or late of William H. Opp, on the South by said alley, on the West by the remaining portion of Lot No. 92, according to said plan.

BEING THE SAME PREMISES which James T. Rich and Connie M. Rich by deed dated November 20, 1994, and recorded January 25, 1995, in Northampton County, in Record Book 1995-1, Page 7042, granted and conveyed unto Carlos M. Figueroa and Marta M. Figueroa, husband and wife, in fee.

TAX PARCEL NO. P7SW1D-7-6.

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

SEIZED AND TAKEN into execution of the writ as the property of Carlos M. Figueroa and Marta M. Figueroa.

WILLIAM F. COLBY, JR.,
ESQUIRE

No. 11
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-004077

ALL THAT CERTAIN MESSUAGE OR TENEMENT or one-half twin dwelling and lot or piece of ground

situate in the first ward of the City of Bethlehem, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the southwest side of Dakotah Street, which said point is North fifty degrees no minutes West sixty-five (65) feet from the northwest corner of Dakotah and Cherokee Streets; thence along the southwest side of Dakotah Street North fifty degrees no minutes West a distance of sixteen and eighty-five one-hundredths (16.85) feet to a point; thence in and through the party wall of No. 703 Dakotah Street herein described and No. 705 Dakotah Street immediately adjacent to the northwest, and through land now or late of Anna Decrosta South forty degrees no minutes West a distance of seventy-six (76) feet to a stake; thence South fifty degrees no minutes East a distance of sixteen and eighty-five one-hundredths (16.85) feet to a cross-mark on coping of a retaining wall; thence North forty degrees no minutes East a distance of seventy-six (76) feet to the place of beginning.

BEING KNOWN and designated as No. 703 Dakotah Street, Bethlehem, Pennsylvania according to the present system of city numbering.

IT BEING THE SAME PREMISES which was conveyed by Mariano Bartera and Ethel B. Bartera by Deed dated April 2, 1956 and recorded in the Recorder of Deeds Office for Northampton County in Deed Book Volume E98, Page 136 conveyed unto Mary Elizabeth Lanier (one-half) and William E. White and Mayo M. White, husband and wife (one-half) as tenants in common. The said Mary Elizabeth Lanier, then Mary Elizabeth Cox, died on or

about April 13, 1992 at which time her interest passed as a matter of law to Bobby Cox; the said William E. White died on or about May 18, 1987 at which time his interest passed as a matter of law to Mayo White; the said Mayo White passed away on or about April 26, 1995 at which time her interest in the said property passed as a matter of law to Desiree Crawford and Lexine Langley.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: P6SW2B-15-2.

SEIZED AND TAKEN into execution of the writ as the property of Bobby L. Cox and Carol A. Cox, husband and wife.

DONALD L. VANGILDER,
ESQUIRE

No. 13

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-002727**

ALL THAT CERTAIN property situated in the Borough of Freemansburg in the County of Northampton and Commonwealth of Pennsylvania, being more fully described in a Deed dated 11/13/2001 and recorded 11/19/2001, among the land records of the county and state set forth above, in Deed Volume 2001-1 and Page 245336, Tax Map or Parcel ID No.: N7SW3C-21-3.

ALL THAT CERTAIN message and tract of land situate in the Borough of Freemansburg, designated on draft of land of John J. Levers as Lot Number One on Freeman Street, now Madison Street, being the Southwest corner of Madison and Church Streets, having a frontage of sixty feet on said Madison Street and extending of that width Southwardly along Church Street aforesaid one hundred and twenty feet.

TAX PARCEL NO. N75W3C-21-3.

PREMISES KNOWN AS 136 Madison Street, Freemansburg, PA 18017.

BEING the same premises which Cindy M. Gerstenberg, by Deed dated November 13, 2001 and recorded November 19, 2001 in Deed Book 2001-1, Page 245336, in the Northampton County Recorder's Office, granted and conveyed unto Joseph A. Wladika.

NOTICE is further given to all parties in interest and claimants. A proposed schedule of distribution of the proceeds in the sale will be filed by the Sheriff of Northampton County, Pennsylvania on 12/06/2004 or a date specified by the Sheriff not later than 30 days after sale and distribution of said proceeds will be made in accordance with said proposed schedule of distribution unless exceptions are filed thereto within ten (10) days thereafter.

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

SEIZED AND TAKEN into execution of the writ as the property of Joseph A. Wladika.

TERRENCE J. McCABE,
ESQUIRE

No. 14
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-002365

ALL THAT CERTAIN house and lot of land situate on the North side of Wilkes-Barre Street in the City of Easton, County of Northampton, and Commonwealth of Pennsylvania, known as Lot No. 19 on Plan of Lots of Charles and Frederick Seitz, containing in front on said Wilkes-Barre Street twenty-five (25) feet

and extending of that width Northwardly one hundred and fifty-seven (157) feet, more or less, to Cooper Alley. Bounded on the East by Lot No. 18, North by Cooper Alley, West by Lot No. 20, and South by Wilkes-Barre Street.

ALSO, ALL THAT CERTAIN lot of land on the North side of Wilkes-Barre Street in the City of Easton, County of Northampton, and Commonwealth of Pennsylvania, containing in front on said street thirty-one (31) feet, and extending of that width Northwardly one hundred and forty-seven (147) feet on the West side and one hundred and fifty-four (154) feet, more or less, on the East side to Cooper Alley. Bounded on the North by Cooper Alley, East by Lot No. 19, South by Wilkes-Barre Street, and West by land now or late of Peter Dougherty.

BEING Lot No. 20 on the Plan of Lots of Charles ad Frederick Seitz on Wilkes-Barre Street. TAX PARCEL NO. L9SE4C-18-19.

PREMISES KNOWN AS 467 West Wilkes Barre Street, Easton, PA 18052.

BEING the same premises which Thomas J. Heimbach a/k/a Thomas Jeffrey Heimbach and Paula J. Donham f/k/a Paula J. Heimbach a/k/a Paula Heimbach, by Deed dated August 18, 2002 and recorded September 18, 2002 in Deed Book 2002-1, Page 250833, in the Northampton County Recorder's Office, granted and conveyed unto Thomas J. Heimbach a/k/a Thomas Jeffrey Heimbach.

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

Thomas J. Heimbach a/k/a Thomas Jeffrey Heimbach and Paula J. Donham f/k/a Paula J. Heimbach a/k/a Paula Heimbach.

TERRENCE J. McCABE,
ESQUIRE

No. 15
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-000167

ALL THAT CERTAIN message, tenement and lot or piece of ground, situate in the Borough of North Catasauqua, Northampton County, Pennsylvania and known as No. 1021 Howertown Road, bounded and described as follows, to wit:

BEGINNING at a point in line of property 1023 Howertown Road, owned by Fred C. and Rose A. Klinger, husband and wife, thence along Howertown Road South 7 degrees East twenty-one (21) feet to property 1019 Howertown Road, now or late of Ernest M. and Arlene E. Ferry, husband and wife, thence by said property 1019 Howertown Road North 83 degrees East one hundred seventy-three and one-half (173-1/2) feet to Maple Alley; thence along said alley North 7 degrees West twenty-one (21) feet to 1023 Howertown Road, aforesaid; thence by the same South 83 degrees West one hundred seventy-three and one-half (173-1/2) feet to the place of beginning.

CONTAINING 3,648 square feet.
Tax Parcel #M4SE4B-33-10.

TITLE TO SAID PREMISES IS VESTED IN James R. Gangaway and Kimberly A. Gangaway, husband and wife by Deed from Constance M. Nammerly, dated 4/14/1997 and recorded 4/23/1997 in Volume 1997-1, Page 38603.

THEREON BEING ERECTED a two story one-half of a double dwell-

ing with vinyl siding and wood exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of James R. Gangaway and Kimberly A. Gangaway.

FRANK FEDERMAN, ESQUIRE

No. 16
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-004033

ALL THAT CERTAIN lot of land with the dwelling thereon erected known as No. 2485 Freemansburg Avenue, situate, lying and being in the Borough of Wilson, County of Northampton and Commonwealth of Pennsylvania, and known and designated as Lot No. 9 on the Colonial Park Tract, a Map of which is now on file at the Recorder of Deeds Office in and for the County of Northampton, and said Lot No. 9 being more particularly described as fronting 20 feet on Freemansburg Road and extending back 100 feet.

THE center line of the middle partition wall dividing this property from the adjoining property on the East is to be taken as the Eastern boundary line.

TITLE TO SAID PREMISES IS VESTED IN Robert Madison and Shannon Dudeck, as joint tenants with right of survivorship by Deed from Mary Lynn Langston, now by marriage Mary Lynn Wintermute dated 10/30/1997 and recorded 11/5/1997 in Volume 1997-1, Page 123000.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: M9NW1B-10-16.

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

SEIZED AND TAKEN into execution of the writ as the property of Robert Madison and Shannon Du-deck.

DANIEL G. SCHMIEG, ESQUIRE

No. 17
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2003-009138

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

BEGINNING at an old iron pin on the East side of South Main Street, marking the Southwest corner of Dayton Pysher's lot; thence along the Easterly side of South Main Street, South 16-1/4 degrees West 20.48 feet to a point; thence along land of the grantor and the center of the partition wall of a double frame dwelling of which this conveyance is the Northerly part, or house number 243, South 73 degrees 39 minutes East 150.0 feet to a point in the West side of a public alley reputed to be 16 feet wide; thence along the West side of said alley North 16 degrees 15 minutes East 20.48 feet to a point and land of said Dayton Pysher; thence along the same and passing through an iron post North 73 degrees 39 minutes West 150.0 feet to the place of Beginning.

HAVING THEREON ERECTED A DWELLING KNOWN AS 243 S. Main Street, Bangor, Pennsylvania 18013.

PARCEL: E9NE20-21-3A.

BEING THE SAME PREMISES WHICH Duane C. Krauss and Larry P. Krauss, Executors of the Last Will and Testament of Edith M. Krauss, deceased, by Deed 3/18/91 and recorded 4/3/91 in Northampton

County Deed Book 826, Page 231, granted and conveyed unto F. Alan Bilsky and Carol J. Bilsky.

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

SEIZED AND TAKEN into execution of the writ as the property of F. Alan Bilsky and Carol J. Bilsky.

LEON P. HALLER, ESQUIRE

No. 18
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2001-003568

ALL THAT CERTAIN lot or parcel of ground with tenement, Hereditaments and Appurtenances, Situate thereon in the Township of Bethlehem, County of Northampton and State of Pennsylvania, designated as Lot No. 1, Block "G", according to the Plan of Oakland Hills, Section 2, prepared by C. A. Costello, Engineering Company, dated June 17, 1977 and recorded in Map Book 46 page 19, Northampton County records.

BEING known as 3909 Dundee Road, Bethlehem, Pennsylvania.

BEING the same premises which Walter T. Salaski and Betty N. Salaski, husband and wife, by Indenture bearing date the 15th day of June, A.D. 1979 and recorded in the Office of the Recorder of Deeds &c., in and for the County of Northampton, aforesaid in Deed Book Volume 600 page 592, granted and conveyed unto John S. Favara and Lydia J. Favara, husband and wife, in fee.

BEING KNOWN AS: 3909 Dundee Road, Bethlehem, PA 18020.

PROPERTY ID NO.: M7NW2-2-1.

TITLE TO SAID PREMISES IS VESTED IN John L. Rayam and Dor-

een E. Rayam, husband and wife by Deed from John S. Favara and Lydia J. Favara, husband and wife dated 11/30/94 recorded 12/13/94 in Deed Book 1994-6 Page 106204.

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

SEIZED AND TAKEN into execution of the writ as the property of John L. Rayam a/k/a John L. Rayam, Jr. and Doreen E. Rayam.

MARK J. UDREN, ESQUIRE

hundred fifteen (115) feet to the place of beginning.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: E8NE4B-4-10.

BEING KNOWN AS 607 Pen Argyl Street, Pen Argyl, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Tammy S. Bright.

JOSEPH A. GOLDBECK, JR.,
ESQUIRE

No. 19

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION
CV-2004-1265**

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

BEGINNING at a point in the north side of Pen Argyl Street, formerly First Street, as per plan of lots of William Lobb, deceased, recorded in Easton, Pennsylvania, said point being distant, measured westwardly, fifty (50) feet from the northwest corner of "D" Street and Pen Argyl Street; THENCE along the north side of Pen Argyl Street westwardly twenty and three-tenths (20.3) feet to a point and land of Sherwood Longyshore; THENCE along the same westwardly one hundred fifteen (115) feet and passing through the center line of double dwelling of which this conveyance is the east side or House No. 607, and also passing through an 8" oak to a point; THENCE North twenty and three-tenths (20.3) feet to a point; THENCE southwardly one

No. 21

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION
CV-2002-008626**

ALL THAT CERTAIN piece or parcel of land situate in the Borough of Pen Argyl, county of Northampton and Commonwealth of Pennsylvania, being the Eastern half of Lot No. 6 in Block 20 of a Map or Plan of Lots marked "Slateland View", said plan being now on record in the Office of the Recorder of Deeds at Easton, in and for the County of Northampton and Commonwealth of Pennsylvania, reference being thereunto has and will more fully at large appear, being described as follows to wit:

HAVING a frontage of twenty-five (25) feet on the Southerly side of Mountain Avenue and extending of that same width in a Southerly direction one hundred (100) feet.

BOUNDED on the East by Lots No. 7 and 8 on said Map; on the South by Lot No. 11; on the West by the Western half of said Lot No. 6; now or late of William R. Jeffrey; and on the North by the said Mountain Avenue.

BEING the same premises which Todd C. Oessenick and Benjamin

J. Herten, by Deed dated June 24, 1999 and recorded in Northampton County on September 28, 1999 at Deed Book Volume 1999-1, Page 147574, granted and conveyed to Todd Rosko.

ASSESSMENT MAP, BLOCK, AND LOT NUMBER: E8NE2A-9-2.

BEING KNOWN AS 410 West Mountain Avenue, Pen Argyl, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Todd Rosko.

KIMBERLY J. HONG, ESQUIRE

No. 22

BY VIRTUE OF A CERTAIN

WRIT OF EXECUTION

CV-2002-007347

ALL THAT CERTAIN parcel or lot of land situate on West Saucon Street, Borough of Hellertown, County of Northampton, and in the Commonwealth of Pennsylvania, bounded and described according to a survey made the 20th day of September, 1969 A.D. by W. E. Eleckley, Registered Engineer, of Bethlehem, Pennsylvania, as follows, to wit:

BEGINNING at a point on the south property line of Saucon Street said point being North 86 degrees 43 minutes West 147.40 feet from a drill hole marking a corner at the intersection of the West property line of Harris Alley with the south property line of Saucon Street; thence along the west line of No. 48 Saucon Street South 3 degrees 17 minutes West 98.70 feet to an iron pin; thence along land of Clarence W. Templeton North 80 degrees (for-

merly incorrectly stated as eight degrees) 1 minute West 17.72 feet to an iron pin; thence along the east line of No. 52 Saucon Street thru the center line of a mutual party wall North 3 degrees 17 minutes East 96.63 feet to a point on the south property line of Saucon Street; thence along same property line South 86 degrees 43 minutes East 17.60 feet to the place of beginning.

HAVING THEREON ERECTED A DWELLING KNOWN AS 50 Saucon Street, Hellertown, Pennsylvania 18055.

BEING THE SAME PREMISES WHICH Gary G. Sanders et al by deed dated 2/22/02 and recorded in Deed Book 2002-1 Page 063959 granted and conveyed unto Douglas Palanchar.

TAX PARCEL: Q7SW3A-6-1A.

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

SEIZED AND TAKEN into execution of the writ, as the property of Douglas Palenchar.

LEON P. HALLER, ESQUIRE

No. 23

BY VIRTUE OF A CERTAIN

WRIT OF EXECUTION

CV-2002-006142

ALL THAT CERTAIN lot or piece of land lying and being situate in the Borough of East Bangor, County of Northampton, and Commonwealth of Pennsylvania, more particularly bounded and described in accordance with a recent survey of Dale Kulp, Registered Surveyor, of R.D. #2, Box 2134, Mt. Bethel, Pennsylvania, as follows, to wit:

BEGINNING at a point at the property line of the Intersection of Cleveland Avenue and High Street, thence along the North property line

of Cleveland Avenue and N 78 degrees W 140.00 feet to a point, thence along the East side of an alley N 12 degrees E 85.00 feet to a point, thence along land now or late of W. Strohe, Sr. S 78 degrees E 140.00 feet to a point on the West side of High Street, thence along the West side of High Street S 12 degrees W 85.00 feet to the point and place of beginning.

CONTAINING: 11,900 square feet.

TITLE TO SAID PREMISES IS VESTED IN Frank Paone and Lori Ann Paone, his wife by Deed from Konstantinos Pirlis and Sotiri Pirlis, his wife, and Antonios Kotretsos, dated 6/8/1999, recorded 6/16/1999, in Record Book Volume 1999-1, Page 088523.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: D10SW2D-5-6.

BEING KNOWN AS 48 South High Street, Bangor, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Frank Paone and Lori A. Paone a/k/a Lori Ann Paone.

FRANK FEDERMAN, ESQUIRE

No. 24

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-004583**

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

BEGINNING at a point in Bachman Street two and one-half (2 1/2) feet east of the intersection of Lot

No. 19 and Lot No. 18; thence along the said Bachman Street in an easterly direction twenty-seven and one-half (27 1/2) feet to a point; thence extending of that width in a northerly direction between parallel lines one hundred six (106) feet to the line of Lots Nos. 60 and 61.

BOUNDED on the south by said Bachman Street, on the north by Lots Nos. 60 and 61, on the east by Lot No. 17, and on the west by Lot No. 18.

BEING twenty-two and one-half (22 1/2) feet of Lot No. 18 and five (5) feet of Lot No. 17 according to the plan of lots laid out on Kokle Annex for Herman P. Phillips; which plan is duly recorded in the Office for the Recording of Deeds in and for Northampton County, at Easton, Pennsylvania, in Map Book Volume 6, Page 2, relation being thereunto had will more fully and at large appear.

BEING known and designated as No. 33 Bachman Street, Hellertown, Pennsylvania, according to the present system of Borough numbering.

TITLE TO SAID PREMISES IS VESTED IN Jeri L. Westwood, Married by Deed from Jeri L. Delnero n/k/a Jeri L. Westwood and David S. Westwood, her husband dated 7/16/1999 and recorded 7/20/1999 in Volume 1999-1, Page 109126.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: Q7NW3D-4-16.

BEING KNOWN AS 33 Bachman Street, Hellertown, 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

Jeri L. Delnero a/k/a Jeri L. Westwood.

FRANK FEDERMAN, ESQUIRE

No. 26
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2003-007901

ALL THAT CERTAIN parcel or tract of land situate in Hanover Township, Northampton County, Pennsylvania, known and designated as Lot No. 6 on the Plan of Pointe North-Single Family Project-Phase III, Section 2, prepared by Great Valley Consultants, Consulting Engineers, of Wyomissing, Pennsylvania, and shown on Drawings No. 926001-015-D-001 through 926001-015-D-002, dated June 9, 1992 and last revised November 4, 1992, and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania, in Plan Book Volume 92, Pages 287 and 287A, being bounded on the North by Lot 5 on said Plan, on the South by Lot 7 on said plan, on the West by Ashley Lane and on the East by Dolores Lane.

CONTAINING 16,472.58 square feet.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: MAP M6NW1, BLOCK 11, LOT 6.

PIN: 4962-01-7904-4635.

BEING THE SAME PREMISES which James J. Snell Custom Homes, a Pennsylvania Partnership consisting of James J. Snell, partner and Cathy A. Snell, partner, by Deed dated March 21, 1997, and recorded March 21, 1997, in the Recorder of Deeds Office of Northampton County, Pennsylvania, in Deed Book Volume 1997-1, Page 26391, granted and conveyed unto Azfar Ali and Saima Azfar, husband and wife.

PREMISES improved with a single family dwelling more commonly known as 4535 Dolores Lane, Bethlehem, Pennsylvania 18017.

THEREON BEING ERRECTED a two story single dwelling w/attached two-car garage, brick and aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Azfar Ali and Saima Azfar.

RICHARD BRENT SOMACH,
ESQUIRE

No. 27
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-004694

ALL THAT CERTAIN message, tenement 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 the Southeast corner of Laurel Street and a twenty foot wide alley; thence extending eastwardly along the South side of said Laurel Street a distance of twenty (20) feet to a point; thence extending Southwardly of the same width a distance of ninety (90) feet to Frankfort Street.

BOUNDED on the North by said Laurel Street, on the East and West by land formerly of Ammeda Spengler, and on the South by said Frankfort Street, according to Plan of Lots of the Fairview Land and Improvement Company, intended to be filed in the Office for the Recording of Deeds in and for the County of Northampton.

TAX IDENTIFIER: MAP N6SE3D, BLOCK 12, LOT 1.

BEING KNOWN AS 414 East Laurel Street, Bethlehem, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Brian Munn and Nodjya Munn a/k/a Nodjya Behm.

JOSEPH REJENT, ESQUIRE

No. 28

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2004-002076

ALL THAT CERTAIN message and lot of land known as No. 132, situated on the West side of North Thirteenth Street, in the City of Easton, County of Northampton and State of Pennsylvania, containing in front on said North Thirteenth Street, fifteen feet, more or less, and extending in depth of that width westwardly one hundred and thirteen feet to a ten feet wide private alley, bounded on the North by land now or late of William Gray, on the East by said Thirteenth Street, on the south by land now or late of Sarah Diehl and on the West by said ten feet wide private alley.

ALSO KNOWN AS UNIFORM PARCEL IDENTIFIER NUMBER: L9SW2B-9-8.

BEING KNOWN AS: 132 North 13th Street, Easton, PA 18042.

PROPERTY ID NO.: L9SW2B-9-8.

TITLE TO SAID PREMISES IS VESTED IN Jimmy D. Woodginski and Brenda L. Miller, as joint tenants with the right of survivorship and not as tenants in common by Deed from John C. Vail and Linda L. Vail, his wife dated 9/30/98 recorded 10/2/98 in Deed Book 1998-1 Page 134427.

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 Jimmy D. Woodginski and Brenda L. Miller.

MARK J. UDREN, ESQUIRE

No. 29

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION 1998-C-7214

ALL THAT CERTAIN lot or piece of ground whereon is erected the Eastern half of a double frame dwelling house, situated on the North side of Lehigh Street, between Ninth and Tenth Streets, in the City of Easton, County of Northampton, Commonwealth of Pennsylvania, containing in front on said Lehigh Street 16 feet and extending of that width Northwardly 100 feet to a 15 feet wide private alley.

BOUNDED on the South by said Lehigh Street, on the West by the Western half of said double frame dwelling house, now or formerly the property of Margaret Sippel, on the North by said private alley, and on the East by lot now or formerly of S. Henry Siegfried.

THE center line of the partition wall dividing the Eastern and Western halves of the said double frame dwelling house is the Western boundary line of the above-described premises.

THE above-described premises are known as No. 923 Lehigh Street, Easton, Pennsylvania.

PARCEL No. L9SE1D-16-11.

BEING the same premises which Vernon G. Deremer a/k/a Vernon G. Dermemer and Calogera I. Deremer a/k/a Lucy Deremer a/k/a Calogera I. Dermemer, husband and wife by Deed dated June 29, 1992 and recorded in the NORTHAMPTON County Recorder of Deeds' Office on July 7, 1992 in Deed Book

868, Page 62, granted and conveyed unto Ascencion Tenchipe and Lourdes Aguilar, husband and wife.

SEIZED AND TAKEN into execution of the writ as the property of Ascencion Tenchipe and Lourdes Aguilar.

JOSEPH REJENT, ESQUIRE

No. 30

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-004389**

ALL THAT CERTAIN premises situated in the City of Bethlehem, Northampton County, Pennsylvania, known and designated as #1108 East Third Street and more particularly bounded and described as follows, to wit:

BEGINNING at a point in the South property line of East Third Street in line of other lot of the grantor, said point being distant 53.78 feet Easterly from the intersection of the East property line of Hill Street with the South property line of East Third Street; thence along the South property line of East Third Street, South 85 degrees 54 minutes East 16.82 feet to a cross-cut in line of lot of W. O. Strohl; thence along lot of W. O. Strohl, South 4 degrees 06 minutes West 132.17 feet to an iron pin in the North property line of Fortuna Alley; thence along the North property line of Fortuna Alley, North 85 degrees 30 minutes West 16.82 feet (erroneously set forth in prior deeds as North 85 30 minutes West 16.82 feet) to a point in line of other lot of the grantor; thence along other lot of the grantor, North 4 degrees 06 minutes East 132.05 feet to the point or place of beginning.

HAVING erected thereon a dwelling known and numbered as 1108 East Third Street, Bethlehem,

Northampton County, Pennsylvania according to the present system of City numbering.

PARCEL #P6SE2B-2-3.

BEING THE SAME PRAISES which ANGEL L. FIGUEROA and JENNY FIGUEROA, husband and wife, by Indenture Dated April 9, 1992 and Recorded April 10, 1992 in the Office for the Recording of Deeds in and for Northampton County in Deed Book 859, Page 456, Granted and Conveyed unto ANGEL L. FIGUEROA and JENNY FIGUEROA, husband and wife.

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

SEIZED AND TAKEN into execution of the writ as the property of Angel Figueroa a/k/a Angel L. Figueroa, Sr. and Jenny Figueroa.

JOSEPH REJENT, ESQUIRE

No. 32

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2003-001636**

ALL THAT CERTAIN message or tenement and tract of land situate on the south side of Railroad Street, in the City of Bethlehem, Northampton County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the south side of Railroad Street, twelve and three tenths (12.3) feet west from the northwest corner of Lot No. 2, according to plan of Herman A. Doster called "Plan of Herman A. Doster of Trone Property" 'situate in Lover Saucon Township, Northampton County, plan of 1858; thence, westwardly twelve and three tenths (12.3) feet to a point; thence, southwardly of that same width between parallel lines at right angles

to said Railroad Street ninety-five feet to Lot No. 18 according to the above mentioned plan.

ALSO KNOWN AS NORTHAMPTON COMITY UNIFORM PARCEL IDENTIFIER: MAP P6NE3C BLOCK 5 LOT 1.

TITLE TO SAID PREMISES IS VESTED IN Robert Ramos, single, by Deed from Eneadino Melendez, dated 12/16/94, recorded 12/20/94, in Deed Book 1996-4, Page 108489.

PROPERTY ID NO.: P6NE3C.5-1.

BEING KNOWN AS 1140 Railroad Street, Bethlehem, PA 18015.

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 Robert Ramos.

MARK J. UDREN, ESQUIRE

No. 34
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2003-009061

ALL THAT CERTAIN piece or parcel of land, formerly with machine shop and engine house thereon, situate in the City of Easton, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a point in the northern right-of-way line of Mauch Chunk Street, said point being located south 87-45-00 west 698.57 feet from the intersection of the western right-of-way line of center street and the northern right-of-way of said Mauch Chunk Street, said point being the southwest corner of a 1.0053 acre parcel of land acquired by the Redevelopment Authority of the City of Easton by taking in eminent domain proceedings No. 86

January Term, 1971 in the Court of Common Pleas of Northampton County Pennsylvania. Thence

1) westerly along the northern right-of-way line of said Mauch Chunk Street, south 87-45-00 west, 180.00 feet to a point, thence;

2) northerly along remaining lands of the Lehigh Valley Railroad, north 28-27-30 west, 260.45 feet to a point located 30.00 feet, measured radially, from the centerline of the main tracks of the Consolidated Rail Corporation. Thence;

3) easterly along a curve to the right, parallel to and concentric with a distant 30.00 feet, measured radially, from said centerline, said curve having a radius of 2291.72 feet and an arc distance of 118.11 feet to a point of compound curve. Thence;

4) easterly along a curve to the right, parallel to, concentric with and 30.00 feet distant measured radially, from said centerline, said curve having a radius of 1402.69 feet, an arc distance of 304.05 feet to a point of compound curve. Thence,

5) easterly along a curve to the right, parallel to, concentric with and distant 30.00 feet, measured radially, from said centerline, said curve having a radius of 1880.00 feet, an arc distance of 179.28 feet to a point of tangency. Thence;

6) easterly, parallel to and distant 30.00 feet, measured at right angles, from said centerline north 87-45-00 east 170.00 feet to a point in the southern right-of-way line of the main line. Thence;

7) westerly along a curve to the left, said curve having a radius of 415.00 feet, an arc distance of 126.67 feet to a point. Thence;

8) southerly south 02-15-00 east, 7.00 feet to a point in the

southern right-of-way line of canal (if said southern right-of-way line were extended). Thence;

9) easterly along the southern right-of-way line of said Canal Street (if said southern right-of-way line were extended), north 87-45-00 east, 45.83 feet to a point in the northern right-of-way line of the Canal Street extension. Thence;

10) westerly along the northern right-of-way line of said Canal Street extension, south 49-59-45 west, 489.98 feet to appoint the place of beginning.

Containing three and three thousand one hundred and eight ten thousandths (3.3108) acres, more or less.

THE WITHIN CONVEYANCE is under and subject to the following covenants, which shall run with the land hereafter and be binding upon all subsequent owners, assignees, mortgagees, etc:

1) Use the property only for industrial activities;

2) Groundwater shall not be used for any purpose and no wells for the extraction thereof shall be installed, permitted or utilized on the Site; provided, however, monitoring wells and treatment wells may be installed and operated on the Site by the Grantee, its successors and

assigns, solely for the purpose of sampling, monitoring, and/or remediating such groundwater; and

3) Test and properly dispose of any soils and other materials that are to be removed from the Site, in accordance with the environmental laws.

ALSO KNOWN AS NORTHAMPTON COUNTY TAX IDENTIFIER NUMBER L9SE4D-2-2B.

BEING KNOWN AS 805 Canal Street, Easton, Pennsylvania.

SEIZED AND TAKEN into execution of the writ as the property of Roundhouse Enterprises, LLC, Raymond C. Scheetz, Coretech, Inc. and Batterytest, Inc.

STEVEN LEVIN, 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

Oct. 14, 21, 28

DISASTER ASSISTANCE FOR PENNSYLVANIA FLOOD VICTIMS

Thousands of our fellow Pennsylvanians have been devastated by the damage caused by the severe storms and flooding that struck several areas of the state in the last two weeks. Our county has been declared a federal disaster area, and the Pennsylvania Emergency Management Agency (PEMA) and the Federal Emergency Management Agency (FEMA) are opening a Disaster Recovery Center in our area to help victims.

As in past disasters, PEMA/FEMA welcomes the assistance of local lawyers to volunteer their time to help answer victims' legal questions. We have the opportunity to provide Pennsylvanians with the information and legal advice they need to speed their recovery and to help them avoid any unscrupulous or unethical individuals who may seek to prey upon them during this difficult time.

The NCBA is interested in recruiting volunteer lawyers to assist PEMA/FEMA in answering legal questions that are frequently asked by disaster victims. You may volunteer as little or as many hours as desired, and the dress code is casual so that the victims feel comfortable.

To assist you in this endeavor, a Volunteer Resource Guide that includes helpful information about financial assistance and legal questions that are frequently asked by disaster victims is available at the NCBA Facility; you need only call and we will send you a copy.

Your efforts will do much to help the people of Pennsylvania with the long, slow recovery process. If you would like to volunteer your time, the Disaster Recovery Center for Northampton County is located at the Forks Township Community Center, 500 Zucksville Road, Easton. Please contact PEMA/DRC Manager Tom Nervine at (484) 347-2968 as there is an immediate need for volunteers. Thank you for your assistance in this matter.

Oct. 14, 21

ROBERT EYER

*is pleased to announce
the opening of
his office for the
general practice of law at*

720 Washington Street
Easton, Pennsylvania 18042

Telephone (610) 253-9800
Fax (610) 258-1120

Oct. 14, 21, 28

DAVID SAVAGE, Plaintiff v. ANGELA SAVAGE, Defendant*Visitation—Petition for Primary Physical Custody—Gruber—Relocation*

Plaintiff/Father filed a Petition for Physical Custody of the two minor children. Defendant/Mother relocated with the children to Syracuse, New York following the break up of the marriage. Father now petitioned for custody arguing the best interests of the children will be served by living with him in Pennsylvania.

Applying the *Gruber* factors, the Court found that the best interests of the children will be served by staying in their residence with their Mother in Syracuse, New York. Therefore, the Court awarded Mother primary physical custody, and Father and Mother shared legal custody.

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Law Division, No. C0048CV2001000679.

Order of Court entered denying Plaintiff's Petition for Physical Custody.

ELVIRA C. LABARRE, ESQUIRE, for Plaintiff/Father.

PAULA ROSCIOLI, ESQUIRE, for Defendant/Mother.

Order of Court entered March 5, 2004 by MCFADDEN, J.

ADJUDICATION

Presently before the Court is the Plaintiff, David Savage's, Petition for Primary Physical Custody (Visitation) of the two minor children, Christopher David Savage, age 13, and Angela Marie Savage, age 9. By Order of Court dated September 5, 2003, this matter was listed on the Civil Non-Jury List for the week of December 15, 2003. A non-jury trial was held before the Honorable F.P. Kimberly McFadden on Monday, December 15, 2003 and Tuesday, December 16, 2003. Following consideration of the testimony and materials presented, we hereby make the following:

FINDINGS OF FACT

1. David Savage (hereinafter "Plaintiff" or "Father") and Angela Savage (hereinafter "Defendant" or "Mother") are the biological parents of the minor children, Christopher David Savage and Angela Marie Savage.

2. Plaintiff currently resides at 10 C Street, Pen Argyl, Northampton County, Pennsylvania, 18072.

3. Defendant currently resides at 220 Raphael Avenue, Syracuse, New York.

4. The two minor children, Christopher, born on September 30, 1990, and Angela, born on July 26, 1994, currently reside with their Mother in Syracuse, New York.

5. Plaintiff and Defendant were married on February 26, 1990. At the time of the marriage, the parties resided in Stanton Island, New York.

6. Plaintiff and Defendant lived in a few different areas, but in 1992 moved to Bangor, Pennsylvania, a place where they could afford to purchase a home with the help of Defendant's parents.

7. Plaintiff has a Bachelor of Arts degree in English from Wagner College, New York. Defendant has a Bachelor of Arts degree in theater from SUNY Geneseo, New York.

8. Plaintiff was employed from August of 1991 through August of 1998 at Matheny School and Special Hospital in Peapack, New Jersey to which he would commute an hour and a half to work every day from the couple's home in Bangor, Pennsylvania.

9. During this time, Defendant was working part-time as a dance instructor and aerobics instructor. She was the primary caretaker of Christopher, and would take him to work with her when she could.

10. Defendant also taught dance class two nights a week and on Saturday mornings. While teaching these classes, Plaintiff would care for Christopher.

11. In August of 1998, Plaintiff accepted a position at Helen Hayes Hospital in West Haverstraw, New York. This position increased Plaintiff's daily commute to two hours each direction.

12. Plaintiff and Defendant began to have marital difficulties.

13. At this time, Defendant continued to work part-time as a dance/aerobics instructor, and also began to work as a substitute teacher, earning approximately \$60/day.

14. Due to Defendant's need to work, she enrolled the children into a daycare located in the home of Jen Meyers. Defendant was informed by Ms. Meyers that she was licensed to run a daycare in her home. The children enjoyed going there.

15. Plaintiff disapproved of the daycare situation, preferring to place the children in a formal daycare center which could be declared a tax write-off.

16. Angela Marie was approximately two or three years old when Defendant enrolled the children into daycare. Prior to that time, Defendant cared for the children. At one time before Angela Marie was born, Defendant enrolled Christopher into a formal daycare center, however, Defendant felt they could no longer afford such a center.

17. On or about August 6, 2002, Plaintiff admitted to having an affair and Defendant demanded a divorce.

18. Plaintiff and Defendant separated shortly thereafter and Plaintiff lived in the dormitory of Helen Hayes Hospital or in Christopher's bedroom when he came to visit.

19. Defendant continued to live in the marital home for approximately one year and five months following the separation.

20. Plaintiff paid for Defendant to live in the house in Bangor for approximately one year, initially paying \$900 per month, and later \$700 per month.

21. Due to her financial situation, Defendant moved out of the marital house in Bangor, and moved with the children to a row house in Bangor.

22. Defendant admits the row house was not an ideal location for the children, however, it was all she could afford at the time.

23. During separation, Defendant maintained primary custody of the children, and Plaintiff would have visitation every other weekend.

24. During Plaintiff's visitation weekends with the children, Plaintiff would occasionally have the children sleep in the dormitory where he resided, requiring the children to utilize the bathroom facilities down the hall.

25. Plaintiff and Defendant were divorced on August 22, 2002.

26. Mother applied for various employment positions in the Bangor, Pennsylvania area, but found no suitable employment that would assist her financially with the children.

27. Defendant was raised in, and her family and siblings remain, in Syracuse, New York.

28. Defendant had no family in Bangor, Pennsylvania and had no emotional support, nor any assistance with the children available.

29. Defendant was lonely, depressed and desired to return to Syracuse, New York, where her family could act as a support system for her and her children.

30. Plaintiff also had no family living in the Bangor, Pennsylvania area.

31. Defendant did attempt to obtain other employment in the Pennsylvania area.

32. Defendant decided to move back to Syracuse, New York with the two children in August of 2002. She completed her move in September of 2002.

33. Almost simultaneously, Plaintiff moved to Pen Argyl, Pennsylvania in August of 2002 and rented the home in which he currently resides.

34. Defendant moved into the apartment across the hall from her parents, and above the family business.

35. Defendant did not formally inform Plaintiff as to where she was moving in Syracuse, assuming Plaintiff knew she would move across the hall from her parents.

36. Following the move to Syracuse, Plaintiff still sees the children every other weekend. Plaintiff and Defendant each drive halfway to a meeting point. Therefore, Plaintiff's commute to pick up his children is the same as his commute to work every day.

37. Because the children go to school in Syracuse, Plaintiff cannot as easily attend school functions, parent-teacher conferences, and after-school activities as easily as when the children lived in Bangor, Pennsylvania. However, even when the children went to school in Bangor, Plaintiff rarely attended school activities the children were involved in. Further, when Plaintiff did attend, he would sit separately from his wife, children, and other children's parents.

38. Defendant had more job opportunities in the Syracuse area, and obtained a position at a company named Enable prior to moving to Syracuse. She was earning \$19,000/year. Immediately prior to this trial, Defendant received a promotion and increased her salary to \$26,500/year.

39. Defendant now has a very flexible schedule. She begins work at approximately 8:30 or 8:45 a.m. Christopher gets the bus to school at 7:10 a.m. and Angela Marie gets the bus at 8:45. Therefore, Defendant is available to the children before school.

40. Defendant works until 4:00 p.m. Christopher gets home from school at approximately 3:43 p.m. and Angela Marie comes home at approximately 3:45 p.m. Defendant's mother, (the children's Grandmother) is available to the children when they come home from school. Further, there is only a short period of time when Defendant is not home.

41. Plaintiff leaves for work at 5:45 a.m. and does not get home from work until approximately 6:00 p.m.

42. The apartment Mother and children currently reside in has three bedrooms, a dining room, a living room and a bathroom. The parties share the kitchen with the maternal grandparents.

43. Both children have their own bedrooms.

44. The children have always performed extremely well in school. They maintained A and B averages in their classes while attending school in Bangor, Pennsylvania. Since moving to Syracuse, the children are continuing to maintain A and B averages.

45. Christopher enjoys attending school, his grades are excellent, and he is involved in baseball and basketball.

46. Defendant has been the primary caretaker of the children since they were born. Plaintiff was the primary financial support for the family while they were together and continues to financially support the children.

47. Defendant was referred for a drug and alcohol evaluation on January 23, 2003. A drug and alcohol evaluation was completed by Katelind Brennan of Gary Rute & Associates on January 29, 2003. Kate Brennan made the following observations:

a. Defendant found her husband to be emotionally abusive, although Defendant never complained of this.

b. Defendant obtained a Bachelor of Arts degree.

c. Defendant and Plaintiff would often drink together when they were younger, heavily at times.

d. Currently, Defendant drinks approximately one to two glass of wine per week.

e. Overall, Ms. Brennan found Defendant did not have an alcohol problem.

f. Ms. Brennan did not inquire into the alcohol use of Defendant's siblings, because that is not a usual factor considered.

g. Ms. Brennan reported that Defendant admitted to using marijuana six to seven times per year, mainly when she was in college.

h. Defendant did not use marijuana during her pregnancy with either child.

i. Defendant is not addicted to the drug, she has no physical or psychological effects from using it.

j. Defendant seemed to see nothing wrong with using marijuana, so Ms. Brennan recommended she attend an educational program to learn of the dangers of alcohol and marijuana use.

k. Further, Defendant was subjected to random urine analysis.

l. Defendant freely attended the educational program sessions, attending eight sessions, which was more than was required of her.

m. All of Defendant's random urine tests came back clean.

n. Defendant has not used marijuana in the last two and a half years.

o. Overall, Ms. Brennan spent approximately 12 hours with the Defendant, and feels there is no concern of a relapse by the Defendant.

48. Linda Elsaesser is a physical therapist who works with Plaintiff. Ms. Elsaesser has observed Plaintiff with his children two to three times. She noted the kids were well-behaved and Plaintiff was upset when the children moved to Syracuse.

49. Ms. Elsaesser had only seen the children with their mother on one occasion, and therefore could not comment on the relationship between the children and their mother.

50. Donna Kelly has known Plaintiff for approximately fifteen years, having seen the Plaintiff with his children on two to three occasions in those fifteen years. The most recent being November of 2003. She noted that Plaintiff is kind, gentle, loving, and concerned for the children. She has not seen Defendant with the children in a long time, and therefore could not comment on the mother's relationship with the children.

51. Mrs. McClain, Father's mother, has resided in Ohio the entire time Plaintiff and Defendant were married. She has observed the children with their mother, and claims that Defendant has problems disciplining the children.

52. Neither Defendant nor Plaintiff informed Mrs. McClain of the children's First Holy Communion. Defendant assumed Plaintiff would inform her and now admits she regrets not informing Mrs. McClain personally.

53. The children do enjoy living in Syracuse. They like their school, are doing well in school, and enjoy having all of their extended family around them. Christopher is involved in basketball and baseball. The children each have their own bedrooms and enjoy eating dinner with their extended family.

54. Rocco Lattanzio, Mother's brother, lives in Syracuse as well and has two children ages 10 and 11, and is expecting a third. His children and Mother's children play together often. Christopher and his son play baseball and basketball together.

55. Mr. Lattanzio is also available to assist Defendant with her children. They help each other with transporting the kids to school, activities they are involved in and babysitting.

56. Mr. Lattanzio noted his sister is caring, nurturing and protective of her children. He noted she has no discipline problems with the children.

57. Mr. Lattanzio noted he grew up in the apartment Defendant and the two children currently live across from, and noted the acceptability of the apartment for Defendant and the children.

DISCUSSION

The paramount concern of the court in custody cases is the best interest of the child, including the child's physical, intellectual, emotional and spiritual well-being. *Murphey v. Hatala*, 350 Pa. Super. 433, 438, 504 A.2d 917, 920 (1986), *allocatur denied*, 516 Pa. 634, 533 A.2d 93 (1987); *Schwarcz v. Schwarcz*, 378 Pa. Super. 170, 548 A.2d 556 (1988); *see also, Moore v. Moore*, 535 Pa. 18, 634 A.2d 163 (1993). Courts have recognized the importance of the continuing and stable custodial relationship with the parent that satisfactorily serves the child's needs. *Beers v. Beers*, 710 A.2d 1206 (Pa. Super. 1998). A court must consider the importance of continuity in a child's life and the desirability of the development of a stable relationship with an established parental figure and a known physical environment. *Gerber v. Gerber*, 337 Pa. Super. 580, 487 A.2d 413 (1985); *Jon M.W. v. Brenda K.*, 279 Pa. Super. 50, 420 A.2d 738 (1980).

Plaintiff states that a Custody Order was entered following Father's Petition for Emergency Relief after Mother relocated to Syracuse, New York. Plaintiff therefore argues that because that Order was entered, the burden of proof and persuasion falls on the Mother as the relocating parent.

"While we do not dispute that achieving 'the best interests of the child' remains the ultimate objective in resolving all child custody and related matters, we believe that the standard must be given more specific and instructive content to address, in particular, 'relocation' disputes." *Gruber v. Gruber*, 400 Pa. Super. 174, 181, 583 A.2d 434, 437 (1990). In a relocation case, the Court must consider (1) the advantages of the proposed move, (2) the integrity of the parent's motives underlying the proposed relocation,

and (3) the realistic substitute custodial arrangement that might be made to accommodate relocation. *Id.* The focus and burden in cases applying this standard is on the relocating parent. *Id.*

With regard to the first prong of the *Gruber* test, the Court must compare the economic benefits of the proposed relocation not only with the present employment of Mother, but also with other potential opportunities. The Court must also consider quality of life, relationships with extended family and friends, educational, cultural and social advantages. *Klingman v. Klingman*, 54 D. & C. 4th 28, 41-42 (Lehigh Cty. 2001). Here, Mother was able to find more job opportunities in Syracuse, New York. Immediately prior to trial, she had just received a promotion. Further, the majority of Mother's family resides in Syracuse. Mother has no family in Bangor, Pennsylvania. Father also has no family in Bangor, Pennsylvania. The children are excelling in school and after-school activities in Syracuse. Therefore, the Court finds that the first prong has been met.

With regard to the second prong, the Court finds that Mother relocated to establish a support system for herself and her children. As noted, she had no family in Bangor, Pennsylvania and was very alone and depressed. The Court finds that Mother's move to Syracuse coinciding with Father's return to Bangor was merely a coincidence, and not intended with any ill will by Mother. Therefore, the Court finds that the second prong has been met.

Finally, the Court notes that Father initially had custody of the children every other weekend. The Court notes that following the move to Syracuse, Father still sees the children every other weekend. Plaintiff and Defendant each drive halfway to a meeting point. Further, Plaintiff's commute to pick up his children is the same as his commute to work everyday.

However, the Court notes that because the children go to school in Syracuse, it would be difficult for Plaintiff to attend school functions, parent-teacher conferences, and after-school activities. However, even when the children went to school in Bangor, Plaintiff rarely attended school activities in which the children were involved. Further, when Plaintiff did attend, he would sit separately from his wife, children, and other children's parents. Therefore, this Court finds that realistically, relocation will not severely disrupt the current custodial arrangement.

CONCLUSIONS OF LAW

1. The paramount concern of the court in custody cases is the best interest of the child, including the child's physical, intellectual, emotional and spiritual well-being. *Murphey v. Hatala*, supra at 438, 504 A.2d at 920; *Schwarcz v. Schwarcz*, supra; see also, *Moore v. Moore*, supra.

2. Trial courts must therefore evaluate both parent's family units and not emphasize one over the other. *Id.*

3. “While we do not dispute that achieving ‘the best interests of the child’ remains the ultimate objective in resolving all child custody and related matters, we believe that the standard must be given more specific and instructive content to address, in particular, ‘relocation’ disputes.” *Gruber v. Gruber*, supra at 181, 583 A.2d at 437.

4. In a relocation case, the Court must consider (1) advantages of the proposed move, (2) the integrity of the parent’s motives underlying the proposed relocation, and (3) the realistic substitute custodial arrangement that might be made to accommodate relocation. *Id.*

ORDER

AND NOW, this 5th day of March, 2004, upon consideration of the Plaintiff, David Savage’s, Petition for Primary Physical Custody (Visitation) and the opposition thereto, it is hereby ORDERED and DECREED as follows:

1. Plaintiff’s Petition for Primary Physical Custody is hereby DENIED.

2. Defendant shall have primary physical custody of Christopher and Angela Savage.

3. Custody and visitation shall be as follows:

A. DAVID SAVAGE, hereinafter ‘Father’ and ANGELA L. SAVAGE, hereinafter ‘Mother’ shall exercise shared legal custody of their two (2) minor children, Christopher David Savage and Angela Marie Savage. The parties shall consult and cooperate with one another on the major decisions affecting the children’s lives, such as education, religious training, medical treatment and so forth. Each parent shall have the right to receive, directly from the children’s schools, copies of the children’s report cards, notices of parent/teacher conferences and any other information normally released to a custodial parent. Each parent shall further have the right to receive any medical or dental records or reports normally released to a custodial parent.

B. Mother shall be permitted to reside in Syracuse, New York with the children.

C. Mother shall have primary physical custody of the parties’ two (2) minor children subject to Father’s partial custody on alternate weekends Friday at 6:00 p.m. until Sunday at 6:00 p.m.

D. Mother shall share equally in the transportation for Father’s periods of custody. Custody exchange to take place at Dickson City, Pennsylvania at McDonald’s.

E. The parties shall exercise custody on holidays as follows:

(1) Father and Mother shall share custody every year at Christmas time, with one party having custody commencing the evening the children are released from school and continu-

ing until 2:00 p.m. December 26th, and the other party having custody from 2:00 p.m. on the 26th until the children return to school from their Christmas break. This schedule shall alternate each year with Father having custody during the first period in even years;

(2) Mother and Father shall alternate the holidays of Memorial Day, 4th of July, President's Day, Columbus Day, and Labor Day;

(3) During the school year, should the children have extended holiday breaks, Father shall be permitted to exercise partial custody during those extended breaks consistent with the holiday schedule set forth above;

(4) Mother shall exercise custody every year on Mother's Day and on Mother's birthday; Father shall exercise custody every year on Father's Day and on Father's birthday;

(5) The parties shall consult and cooperate to share custody equally each year on the children's birthdays;

(6) The holiday schedule shall supersede the ongoing weekly schedule;

(7) The parties may modify the holiday schedule as they may mutually agree to be in the best interest of the children.

F. During the summer months, Father shall be permitted to have one (1) week of vacation with the children during the month of June, two (2) weeks of vacation during the month of July, said weeks to be non-consecutive and one (1) week during the month of August, however said week during the month of August shall not be the week directly proceeding the children's return to school.

G. The parties may modify the schedule set forth above as they may agree to be in the best interests of their minor children, and the parties are encouraged to be flexible in accommodating reasonable requests for schedule changes.

H. The non-custodial parent at any given time shall have reasonable ongoing telephone access to the minor children, and the minor children shall not be precluded from telephoning the non-custodial parent at reasonable times. Should the children be unavailable to receive a telephone call from a parent, the custodial parent shall be responsible for having the children return the telephone call.

I. Each party shall keep the other advised of a current address and telephone number.

J. Each party shall advise the other promptly of any illness suffered or injury sustained by the minor children.

K. Neither parent will undertake or permit by any other person the poisoning of the minor children's minds against the other parent by conversation which explicitly or inferentially derides, ridicules, condemns or in any manner derogate the other parent or extended family members.

L. The parties shall not conduct or permit arguments or heated conversations in the presence or hearing of their minor children.

M. Neither parent shall attempt or condone any attempt, directly or indirectly, by any artifice or subterfuge whatsoever to estrange the children from the other parent or to injure or impair the mutual love and affection of the children. AT all times each parent shall encourage and foster in the children a sincere respect and affection for the other parent and shall not hamper the natural development of the children's love and respect for the other parent.

N. It should be the obligation of each parent to make the children available to the other in accordance with the above schedule and to encourage them to participate in the plan herein set.

NOVEMBER 2004 COURT CALENDAR

MON	TUE	WED	THU	FRI
1 Juvenile Nat. Court 1:30	2 Argument Settlement 1 P.M.	3 Civil Call Misc.Hearings	4 Juvenile/ Status Arrestment Summaries	5 Bench-Bar Conference
8 Juvenile Non-Jury	9 Non-Jury	10 Juvenile Non-Jury	11 Veterans' Day	12 Misc. Hearings
15 Juvenile Criminal	16 Criminal	17 Criminal	18 Juvenile Arrestment Criminal	19 Misc. Hearings
22 Juvenile DRS/Asb. Ct.	23 DRS Fines & Costs Status	24 Juvenile Civil Call O.C. Audit Misc. Hearings	25 Thanksgiving Day	26 (No Motions Court)
29 Juvenile Civil	30 Civil			

**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. *Return to:* Northampton County Bar Association, 155 South Ninth Street, Easton, PA 18042-4399, FAX: (610) 258-8715.

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