

Northampton County Reporter

(USPS 395-280)

VOL. LIV

EASTON, PA March 2, 2006

NO. 61

**Robert L. Cather, Arthur J. Cather, Jr. and Charles H. Cather, Plaintiffs v.
ILAnnuity and Insurance Company, First Defendant and Joan Cornelius,
Individually and as Personal Representative of the Estate of Charles A.
Cornelius, Second Defendant, Defendants**

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INSERT: Cream: Committee List

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2. Quarterly Association Meeting
3. "Workers' Compensation for the General Practitioner?"
4. 2006 Calendar of Events

NOTICE TO THE BAR ...

Due March 31, 2006

Second installment of Bar Association Dues

Inside: 2006 Committees List

**NORTHAMPTON COUNTY BAR ASSOCIATION
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Northampton County Reporter

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BAR ASSOCIATION STAFF

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Stephanie Pasquel Accounting
Heather Rizzotto-Stefanik Legal Journal
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Deborah J. Flanagan Attorney Referral

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

ADMISSION TO U.S. COURT OF APPEALS FOR THE THIRD CIRCUIT AND U.S. DISTRICT COURT FOR EASTERN DISTRICT, PA—

For anyone interested in obtaining admission to the U.S. Court of Appeals for the Third Circuit and/or the U.S. District Court for Eastern District, PA, Judge Franklin S. Van Antwerpen (3d.Cir.) has indicated that he would be willing to perform the swearing-in ceremony locally if there are enough interested attorneys. It would probably occur sometime in the spring.

The admission costs/fees are \$190 for the Third Circuit and \$175 for the E.D. PA. Additional information is available from each court's website and administrator's office.

If you would like to participate, please notify the Northampton County Bar Association office at 610-258-6333 or by email to marybeth@norcobar.org no later than MARCH 15, 2006. When responding, indicate which court (or both) you are interested in.

INCLUDED IN THIS ISSUE:

- **Quarterly Association Meeting**—Thursday, March 16, 2006. Registration form inside.
- **Lunch Lecture: “Worker’s Compensation for the General Practitioner”**—Thursday, April 6, 2006. Registration form inside.
- **Lunch Lecture: “A Legal Nurse ... What?”**—March 15, 2006 presented by Douglas Jugan, BSN, RN
- **NCBA** Calendar of Events, PBI Seminars and Committee Meeting schedule

SAVE THE DATE! The 2006 Bench Bar Conference is scheduled for Friday, October 27 and Saturday, October 28, 2006, at Mohonk Mountain House, New Paltz, NY. Visit www.mohonk.com for information on the resort. Conference information will be mailed to NCBA members at a later date.

Real Fact: The first lighthouse to use electricity was the Statue of Liberty in 1886.

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**CHAY, JOHN E.,** dec'd.

Late of Northampton, Northampton County, PA

Executor: John Edward Chay, 55 Bridle Path Rd., Bethlehem, PA 18017

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

DeFULVIO, JOSEPH a/k/a JOSEPH DeFULVIO, JR., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Co-Executors: Cheryl Ann Conard and Douglas DeFulvio c/o Frank J. Danyi, Jr., Esquire, Maloney, Danyi, Sletvold & O'Donnell, 901 West Lehigh Street, Bethlehem, PA 18016-1279

Attorneys: Frank J. Danyi, Jr., Esquire, Maloney, Danyi, Sletvold & O'Donnell, 901 West Lehigh Street, Bethlehem, PA 18016-1279

DOMANSKI, AUDREY E. a/k/a AUDREY DOMANSKI, dec'd.

Late of Bethlehem Township formerly of Bath, Northampton County, PA

Executrix: Janice M. Braun, 893 Gate St., Phillipsburg, NJ 08865

FEIST, LAURA H. a/k/a LAURA FEIST, dec'd.

Late of Bethlehem, Northampton County, PA

Administratrix CTA: Tammy Melchoir c/o Eric R. Strauss, Esquire, Worth. Magee & Fisher, P.C., 515 Linden Street, 3rd Floor, Allentown, PA 18101

Attorneys: Eric R. Strauss, Esquire, Worth. Magee & Fisher, P.C., 515 Linden Street, 3rd Floor, Allentown, PA 18101

JONAS, FLORIAN, dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Florian M. Jonas c/o John W. Rybak, Esquire, 408 Adams Street, Bethlehem, PA 18105

Attorney: John W. Rybak, Esquire, 408 Adams Street, Bethlehem, PA 18105

KOVACS, MARGARET S., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: Louise Wisser c/o Mary Ann Snell, Esquire, Suite 311, 3400 Bath Pike, Bethlehem, PA 18017

Attorney: Mary Ann Snell, Esquire, Suite 311, 3400 Bath Pike, Bethlehem, PA 18017

KUBIK, MARY, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Eugene M. Kubik, 1113 Elm Street, Bethlehem, PA 18018

Attorney: Paul J. Harak, Esquire, 1216 Linden Street, P.O.

Box 1409, Bethlehem, PA 18016

LILLY, ALLEN S., dec'd.

Late of Upper Nazareth Township, Northampton County, PA

Executrix: Barbara A. Bok, 411 Bank Street, Nazareth, PA 18064

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

PECSI, IRENE, dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Co-Executors: Frank Pecs and Frances Bush c/o Mary Ann Snell, Esquire, Suite 311, 3400 Bath Pike, Bethlehem, PA 18017

Attorney: Mary Ann Snell, Esquire, Suite 311, 3400 Bath Pike, Bethlehem, PA 18017

PEFFER, RONALD W., dec'd.

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

Executrix: Tracy A. Peffer c/o Frank J. Danyi, Jr., Esquire, Maloney, Danyi, Sletvold & O'Donnell, 901 West Lehigh Street, Bethlehem, PA 18016-1279

Attorneys: Frank J. Danyi, Jr., Esquire, Maloney, Danyi, Sletvold & O'Donnell, 901 West Lehigh Street, Bethlehem, PA 18016-1279

PRITCHARD, VELMA S. a/k/a VELMA E. PRITCHARD, dec'd.

Late of Washington Township, Northampton County, PA

Co-Executors: Jean A. D'Imperio, 452 Messinger Street,

Bangor, PA 18013 and Judith L. Strouse, 339 Washington Blvd., Bangor, PA 18013

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

PYATT, DOROTHY M., dec'd.

Late of the Township of Palmer, Northampton County, PA

Co-Executrices: Jean D. Pyatt, Carol A. Peake and Joan M. Gadwell c/o Daniel E. Cohen, Attorney, Laub, Seidel, Cohen, Hof & Reid, L.L.C., 8 Centre Square, Easton, PA 18042

Attorneys: Daniel E. Cohen, Attorney, Laub, Seidel, Cohen, Hof & Reid, L.L.C., 8 Centre Square, Easton, PA 18042

RAMUNNI, ANTHONY, dec'd.

Late of the Township of Palmer, Northampton County, PA

Co-Administrators: Anthony Ramunni, Jr., 50 Mariska Lane, Easton, PA 18045 and Michele P. Hashem, 450 Biery's Bridge Road, Bethlehem, PA 18017

SERFASS, JEFFREY, dec'd.

Late of Easton, Northampton County, PA

Executrix: Jean A. Hyrowich a/k/a Jean A. Serfass, 668 Youngs Hill Rd., Easton, PA 18040

Attorneys: Gary M. Miller, Esquire, Miller & Davison, 210 E. Broad Street, Bethlehem, PA 18018

VANDERGRIFT, PRESTON F., III, dec'd.

Late of East Allen Township, Northampton County, PA

Executrix: Michelle L. Bollinger, 249 Nazareth Pike, Bethlehem, PA 18020

VERBA, STEPHANIE M., dec'd.

Late of the Borough of Hellertown, Northampton County, PA

Co-Executors: Karen L. Shirk, Lorraine F. Martin and William S. Verba 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

ZIEGENFUS, RAYMOND L., SR. a/k/a RAYMOND L. ZIEGENFUS, dec'd.

Late of the Borough of Walnutport, Northampton County, PA

Executor: Raymond L. Ziegenfus, III, P.O. Box 3, Walnutport, PA 18088

SECOND PUBLICATION**CAPOZZOLO, HENRY,** dec'd.

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

Executrix: Ruthann Capozzolo c/o James R. Clark, Esquire, 277 Millwood Road, Lancaster, PA 17603

Attorney: James R. Clark, Esquire, 277 Millwood Road, Lancaster, PA 17603

HARMAN, HELEN R., dec'd.

Late of the City of Easton, Northampton County, PA

Executrix: Ms. Helen Mae Harman, 838 W. Wilkes-Barre Street, Easton, PA 18042

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

JONES, HELEN HARVEY, dec'd.

Late of 1702 Cloverleaf St., Bethlehem, Northampton County, PA

Executrix: Christine S. Davin, 1120 Park Ave., New York, NY 10128

Attorney: Eric R. Shimer, Esquire, 1 Bethlehem Plz., Ste. 830, Bethlehem, PA 18018

KOHL, GLADYS H., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: Denise Beruta, 132 Chase Hollow Dr., Nazareth, PA 18064

Attorney: Brian R. Tipton, Esquire

KULL, NADINE J., dec'd.

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

Executrix: Lisbeth A. Kull c/o John Molnar, Esquire, The Molnar Law Offices, Wind Gap Professional Center, 6697 Sullivan Trail, Wind Gap, PA 18091

Attorneys: John Molnar, Esquire, The Molnar Law Offices, Wind Gap Professional Center, 6697 Sullivan Trail, Wind Gap, PA 18091

LIPARI, GRACE M. a/k/a M. GRACE LIPARI a/k/a GRACE LIPARI, dec'd.

Late of the Township of Palmer, Northampton County, PA
Executor: Santa Wright, 2815 Hope Ridge Road, Easton, PA 18045

Attorneys: Herbert G. Litvin, Esquire, 151 S. 7th Street, Easton, PA 18042

McCARD, JAMES M., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Co-Executors: Patricia A. McCard and Robert James Mc-

Card c/o Fox Williamson Mattioli, P.C., 1012 W. Broad Street, Bethlehem, PA 18018
Attorneys: Fox Williamson Mattioli, P.C., 1012 W. Broad Street, Bethlehem, PA 18018

OTT, ALBERT L., dec'd.

Late of the Township of Mount Bethel, Northampton County, PA

Executor: Richard L. Ott Sr. c/o Raymond J. DeRaymond, Esquire, Gross, McGinley, LaBarre & Eaton, LLP, 717 Washington Street, Easton, PA 18042-4386

Attorneys: Raymond J. DeRaymond, Esquire, Gross, McGinley, LeBarre & Eaton, LLP, 717 Washington Street, Easton, PA 18042-4386

PALIK, IRENE, dec'd.

Late of Lower Saucon Township, Northampton County, PA

Co-Executors: Christine A. Mann and Robert A. Palik 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

PORS, LAURA B., dec'd.

Late of the Borough of Walnutport, Northampton County, PA

Administratrix: Judy A. Handley c/o Victor F. Cavacini, Esquire, Gross, McGinley, LaBarre & Eaton, LLP., 33 South 7th Street, P.O. Box 4060, Allentown, PA 18105

Attorneys: Victor F. Cavacini, Esquire, Gross, McGinley, LaBarre & Eaton, LLP., 33

South 7th Street, P.O. Box 4060, Allentown, PA 18105

RUMFIELD, JOAN C. a/k/a JOAN C. FREDERICKSON, dec'd.

Late of the Township of Forks, Northampton County, PA
Administrator: Robert D. Rumfield, 6 Aspen Court, Easton, PA 18040

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

RYBAK, MICHAEL, dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Carol Ann Frye c/o John W. Rybak, Esquire, 408 Adams Street, Bethlehem, PA 18105

Attorney: John W. Rybak, Esquire, 408 Adams Street, Bethlehem, PA 18105

TILLMAN, MARION B., dec'd.

Late of the Township of Bushkill, Northampton County, PA
Executrix: Patricia Supplee 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

THIRD PUBLICATION

AHNER, DORIS Y., dec'd.

Late of Walnutport, Northampton County, PA

Executrix: Susan Y. Arner, 459 Lafayette Avenue, Palmerton, PA 18071

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

BOHONOS, JOSEPH, dec'd.

Late of 4522 Timberline Road, Walnutport, Lehigh Township, Northampton County, PA
Administratrix: Mrs. Linda K. Taras, 4193 Mountain View Drive, Walnutport, PA 18088
Attorneys: Gerald F. Strubinger, Jr., Esquire, Strubinger Law Offices, P.C., 505 Delaware Avenue, P.O. Box 158, Palmerton, PA 18071

DIACSUK, JOHN, dec'd.

Late of the Township of Plainfield, Northampton County, PA
Executor: John Diacsuk c/o John Molnar, Esquire, The Molnar Law Offices, Wind Gap Professional Center, 6697 Sullivan Trail, Wind Gap, PA 18091

Attorneys: John Molnar, Esquire, The Molnar Law Offices, Wind Gap Professional Center, 6697 Sullivan Trail, Wind Gap, PA 18091

DONCHEZ, LOUISE T. a/k/a LOUISE DONCHEZ, dec'd.

Late of the City of Bethlehem, Northampton County, PA
Executrix: Marguerite Donovan, 16 York Way, Hockessin, DE 19707

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

FELKER, CHARLES C., dec'd.

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

Executor: David P. Felker, c/o Stanley M. Vasiliadis, Esquire, 65 East Elizabeth Avenue, Suite 400, Bethlehem, PA 18018

Attorneys: Stanley M. Vasiliadis, Esquire, 65 East Elizabeth Avenue, Suite 400, Bethlehem, PA 18018

FRATIPIETRO, HERMINA M., dec'd.

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

Co-Executrices: Rosemarie A. McGee, 1917 Hart Street, Bethlehem, PA 18017 and Sheila Sheats Wietecha, 400 S. Prospect Street, Nazareth, PA 18064

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

GOLEBOSKI, JOHN, dec'd.

Late of Bath, Northampton County, PA

Executor: James J. Kelly c/o P. Christopher Cotturo, Esquire, Attorney-at-Law, 75 Bangor Junction Road, Bangor, PA 18013

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

LIPSKY, AGNES M., dec'd.

Late of Hellertown, Northampton County, PA

Executor: Michael H. Kurtz, c/o Fox Williamson Mattioli, P.C., 1012 W. Broad Street, Bethlehem, PA 18018

Attorneys: Fox Williamson Mattioli, P.C., 1012 W. Broad Street, Bethlehem, PA 18018

MARTINO, SALVATORE N., dec'd.

Late of the Borough of Roseto, Northampton County, PA

Administrator: Nicholas S. Martino, 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

PAVELCZE, ELIZABETH, dec'd.

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

Executor: Louis Pavelcze, Jr., c/o John J. Bartos, Esquire, 3976 Township Line Road, Bethlehem, PA 18020

Attorney: John J. Bartos, Esquire, 3976 Township Line Road, Bethlehem, PA 18020

SALANDY, DANE A., dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executor: Selwyn Salandy, c/o John J. Bartos, Esquire, 3976 Township Line Road, Bethlehem, PA 18020

Attorney: John J. Bartos, Esquire, 3976 Township Line Road, Bethlehem, PA 18020

SANDT, RUTH E., dec'd.

Late of Forks Township, Northampton County, PA

Executors: Francis C. Sandt, 1321 Liberty Street, Easton, PA 18042 and Robert J. Sandt, 416 Nazareth Drive, Nazareth, PA 18064

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

STOCKER, GEORGE B., dec'd.

Late of the Township of Palmer, Northampton County, PA

Administratrices: Christine S. Weiland, 1981 Bushkill Drive,

Easton, PA 18040, Elenora Kachline, R.R. 5, Box 5220, Kunkletown, PA 18058, Virginia S. Brodt, 6449 Abbey Road, Wind Gap, PA 18091 and Carolyn Knauss, 604 High Street, Tatamy, PA 18085

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

ZANAKOS, IRENE S., dec'd.

Late of the Township of Hanover, Northampton County, PA

Executrix: Keri Z. Kelly c/o Stanley M. Vasiliadis, Esquire, 65 East Elizabeth Avenue, Suite 400, Bethlehem, PA 18018

Attorney: Stanley M. Vasiliadis, Esquire, 65 East Elizabeth Avenue, Suite 400, Bethlehem, PA 18018

NOTICES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provision 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:

A.B.E. DENTAL, P.C.

Henry S. Perkin, Esquire
Perkin & Associates
532 Walnut St.
Allentown, PA 18101-2322

Mar. 2

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed

with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania.

The name of the proposed corporation is:

GA NAGY ENTERPRISES, INC.

The corporation has been incorporated under the Pennsylvania Business Corporation Law of 1988.

McFALL, LAYMAN
& JORDAN, P.C.

134 Broadway
Bangor, PA 18013

Mar. 2

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 Pennsylvania Business Corporation Law, Act of December 21, 1988 (P.L. 1444, No. 177) as amended, by the following corporation:

The name of the corporation is:

KNBT ACQUISITION CORP.

Tallman, Hudders
& Sorrentino, P.C.

The Paragon Centre
1611 Pond Road
Suite 300
Allentown, PA 18104-2258

Mar. 2

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been (are to be) 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, Act of December 21, 1988 (P.L. 1444,

No. 177), by the following corporation:

The name of the corporation is:

L&HH, INC.

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

Mar. 2

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:

**MICHAEL ROONEY
PAINTING, INC.**

Principal place of business: 508
Sunflower Drive, Easton, PA 18040.

Mar. 2

FICTITIOUS NAME

REGISTRATION NOTICES

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act 295 of 1982, as amended, of intention to file, or the filing of, in the Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on Monday, January 30, 2006, a Certificate for the conduct of a business in Northampton County, Pennsylvania, under the assumed or fictitious name, style or designation of:

HEALTHY ONE ON ONE

with its principal place of business at: 2108 Sherbrook Avenue, Bethlehem, Pennsylvania. The name and address of the person owning or interested in said business is:

Susan A. Littner, 2108 Sherbrook Avenue, Bethlehem, Pennsylvania.
CHARLES E. SHOEMAKER, JR.,
ESQUIRE
727-729 North 19th Street
Allentown, PA 18104-4040

Mar. 2

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act No. 295 of 1982 of the intention to file, or the filing of, in the Office of the Secretary of the Commonwealth of Pennsylvania, under the assumed or fictitious name, style or designation of:

INDIAN MART

with its principal place of business at: 3650 Nazareth Pike, Bethlehem, PA 18020.

The names and addresses of all persons owning or interested in said business are: Bharath Sundararaman, 2082 Hopewell Road, Bethlehem, PA 18017 and Shyamkumar Poozhikunnath, 3500 Lafayette Drive, Bethlehem, PA 18020.

The certificate has been filed on February 3, 2006.

Mar. 2

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Fictitious Name Act of December 16, 1982, P.L. 1309, as amended, that an 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 a business in Northampton County, Pennsylvania, under the assumed or fictitious name, style or designation of:

**KEYSTONE PLASTICS
EQUIPMENT**

with its principal place of business at: 409 Eagle Drive, Nazareth, PA 18064. The name and address of

the person owning or interested in said business is: Michael J. Petrie. 409 Eagle Drive, Nazareth, PA 18064. The certificate had been filed on January 24, 2006.

Mar. 2

**NOTICES OF NONPROFIT
INCORPORATION**

NOTICE IS HEREBY GIVEN that the Articles of Incorporation—Nonprofit had been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Organization 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:

**STOUDT'S CREEK
HOMEOWNERS ASSOCIATION**

The Articles of Incorporation—Nonprofit have been filed on February 10, 2006.

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

Mar. 2

NOTICE IS HEREBY GIVEN that the Articles 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 Organization 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:

**TRIO FARMS HOMEOWNERS
ASSOCIATION**

The Articles of Incorporation have been filed on January 20, 2006.

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

Mar. 2

**LIMITED LIABILITY COMPANY
 NOTICE**

NOTICE IS HEREBY GIVEN that Notice of Certificate of Organization—Domestic Limited Liability Company were filed with the PA Dept. of State at Harrisburg, PA, for the purpose of creating a Limited Liability Company under the Limited Liability Company Law of 1994, P.L. 703, No. 106, under the name of:

The name of the LLC is:

GREENWICH COMMONS, LLC

The Certificate of Organization was filed on February 13, 2006.

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

Mar. 2

ASSOCIATE ATTORNEY

Gross, McGinley, LaBarre & Eaton, LLP, is seeking an associate attorney with 1-4 years of experience either in private practice or as a judicial law clerk. The successful candidate will have a strong academic background and excellent research and writing skills. We offer a competitive salary and benefits package. Please send resume to:

John P. Servis,
 Managing Partner
 Gross, McGinley,
 LaBarre & Eaton, LLP
 P.O. Box 4060
 33 South Seventh Street
 Allentown, PA 18105-4060

Feb. 23; Mar. 2

PARALEGAL

Growing law firm is seeking a paralegal to work in their Easton office. Interested applicants should have experience in civil litigation, domestic relations and estate administration. Please send resume to:

Human Resources
 PMB #313
 3140-B Tilghman St.
 Allentown, PA 18104

Feb. 23; Mar. 2

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

The following Executors, Administrators, Guardians & Trustees have filed Accounts in the Office of the Orphans' Court:

ESTATE; Accountant
 FLORENCE T. CRESSMAN;
 Darlene D. Cressman a/k/a
 Darlene Cressman Kowtko, Executrix

EUGENIA S. DONCHEZ a/k/a
 GENEVIEVE DONCHEZ; Christy J.,
 Wickmann a/k/a Christy J.
 Scarborough and Paul A. Wickmann,
 Co-Executors

ELLEN E. GEHRET; Doris E.
 Keller, Executrix

ELMERN. KEYSER JR.; Norman
 Brian Keyser, Administrator

AURELIA A. MATEY, TRUST;
 Wachovia Bank, N.A., Trustee

WALTER J. McCOY; Joanne F.
 McDonald, Administratrix

ANNA R. TEEL; Richard A. Teel
 and Judith Ann Moore, Co-Executors

MARGARET WALTERS a/k/a
 MAGGIE E. WALTERS a/k/a
 MAGGIE WALTERS; Theresa Hogan,
 Guardian

AUDIT NOTICE

All Parties interested are notified that an audit list will be made up of

all Accounts and the said list will be called for audit at the Northampton County Government Center, Easton, PA on: FRIDAY, MARCH 31, 2006 AT 9:00 A.M. IN COURTROOM #1. Dorothy L. Cole
Clerk of Orphans' Court

Mar. 2, 9

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

The following real estate will be sold by the Sheriff of Northampton County, Pennsylvania, on March 10, 2006 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-2005-006897**

ALL THAT CERTAIN piece or parcel of land with the tenements thereon erected, situate in the Borough of Walnutport, County of Northampton, and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a stake on the West side of Carbon Street, thence along said West side of Carbon Street, South Forty (40') feet to a stake and line of lands now or late of Ellen J. Heffelfinger; thence West along the same one hundred and thirty-two (132) feet to a stake and line of lands now or formerly of the Central Railroad of New Jersey, thence along the same North Forty

(40') feet to a stake and line of land now or formerly of the Estate of Owen William, property now or late of Wilson Keichner, thence along the same East, one hundred and thirty-two (132) feet to a stake and place of Beginning.

Being known as 518 Washington Street, Walnutport, Pa., Northampton County.

SUBJECT TO ALL covenants, restrictions, reservations, easements, conditions and rights appearing of record; and SUBJECT to any state of facts an accurate survey would show.

BEING KNOWN AS: 518 Washington Street, Walnutport, PA 18088.

PROPERTY ID NO.: J2SW1C-9-2.

TITLE TO SAID PREMISES IS VESTED IN Sandra Fennell, as sole owner by deed from Robert J. Hewitt dated 3/18/04 recorded 3/26/04 in Deed Book 2004-1 Page 113132.

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

SEIZED AND TAKEN into execution of the writ as the property of Sandra Fennell.

MARK J. UDREN, ESQUIRE

**No. 2
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-001141**

ALL THAT CERTAIN messuage, tenement and lot or piece of ground with the buildings thereon erected, situated, lying and being in the City of Bethlehem, County of Northampton and State of Pennsylvania, being bounded and described as follows, to wit:

BEGINNING at a point sixteen (16') feet South of the Southwest

corner of Maple and Garrison Streets, which point is also the extension of a certain party wall between premises herein conveyed and premises immediately to the North known as 719 Maple Street and which party wall is the controlling monument in this description; thence in a westerly direction through the center line of said party wall a distance of seventy-seven (77') feet to a point; thence in a northerly direction parallel to Maple Street a distance of Sixteen (16') feet to the southerly side of Garrison Street; thence along the southerly side of Garrison Street; thence along the southerly side of Garrison Street in a westerly direction a distance of three (3') feet to a point; thence in a southerly direction parallel to Maple Street a distance of thirty-two (32') feet to a point in the property line of the premises herein conveyed and the Northern property line of premises known as 715 Maple Street; thence in an easterly direction parallel to Garrison Street and through a certain party wall between premises herein conveyed and premises known as 715 Maple Street a distance of eighty (80') feet to a point on the westerly side of Maple Street; thence along the westerly side of Maple Street in a northerly direction a distance of sixteen (16') feet to the point and place of BEGINNING.

BEING KNOWN AS 717 Maple Street according to present city numbering.

ALSO BEING KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NO.: MAP: P6NE2A. BLOCK: 20. LOT: 4A.

TOGETHER with all the rights, and privileges created for the ben-

efit of the owners of 717 Maple Street in a certain Agreement dated the 31st day of May, 1950 and recorded in Miscellaneous Book 110 at page 61, for the purpose of installing, maintaining, replacing and repairing sewer lines extending from Garrison Street through premises known as 719 Maple Street to the premises herein described.

BEING the same premises which Michael Hudock, widower by Deed dated September 17, 1999 and recorded in the Philadelphia County Recorder of Deeds Office on September 22, 1999 in Deed Book JTD 1999-1 Page 144317, granted and conveyed unto Kim Debra Miskevish a/k/a Kim D. Miskevish, unmarried.

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

SEIZED AND TAKEN into execution of the writ as the property of Kim D. Miskevish a/k/a Kim Debra Miskevish.

JOSEPH REJENT, ESQUIRE

No. 3
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-002505

ALL THOSE CERTAIN lots or pieces of land with the buildings and improvements thereon erected, and situate on the south side of Wolf Street in the City of Easton, County of Northampton and State of Pennsylvania, more particularly bounded and described as follows, to wit:

TRACT NO. 1:

ALL THAT CERTAIN lot or piece of ground situate on the south side of said Wolf Street containing in front on said Wolf Street in the City of Easton containing in front on said Wolf Street 120 feet, more or less, and extending of that same width

southwardly 313 feet, more or less, to lands of the central Railroad of New Jersey, bounded on the north by said Wolf Street, on the east by lands now or late of Charles Kolb, on the south by the land of the Central Railroad of New Jersey, and on the west by land of the City of Easton, being Tract No. 2 hereinafter described.

TRACT NO. 2:

ALL THAT CERTAIN lot or piece of ground situate on the south side of said Wolf Street containing in front on said Wolf Street containing in front on said Wolf Street one hundred sixty-two and ninety-three (162.93) feet situate immediately to the west of Tract No. 1, above described, and more particularly bounded and described as follows, to wit:

BEGINNING at a point on the south building line of said Wolf Street, being also the northwest corner of Tract No. 1 above described; thence along the western boundary of said Tract No. 1 South no degrees thirty minutes West, two hundred eighty-two and ninety-eight one hundredths feet (S. $0^{\circ} 30' W.$ 282.98') more or less to a point; thence North eighty-nine degrees thirty minutes West, one hundred fifty-seven and fifty-five one hundredths feet (N. $89^{\circ} 30' W.$ 157.55') to a corner; thence North no degrees thirty minutes East, two hundred forty-one and five tenths feet (N. $0^{\circ} 30' E.$ 241.5') to a point on said south building line of Wolf Street; thence along said south building line of Wolf Street North seventy-five degrees forty-five minutes East, one hundred sixty-two and ninety-three one hundredths feet (N. $75^{\circ} 45' E.$ 162.93') more or less to the point and place of beginning.

BOUNDED on the east by Tract No. 1 above described, on the south and west by land now or late of John Brown, and on the north by Wolf Street.

Northampton County Tax Parcel number: L9SE1C-26-10.

BEING KNOWN AS 734 Wolf Avenue, Easton, Pennsylvania.

THEREON BEING ERECTED a one story commercial brick building with flat roof.

SEIZED AND TAKEN into execution of the writ as the property of Gurshinder Matharu and Harcharan Matharu.

DAWN M. SCHMIDT, ESQUIRE

No. 4

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-002513**

ALL THAT CERTAIN lot or piece of land and the western one-half of a double frame dwelling thereon erected, known as 625 Berwick Street, in the City of Easton, County of Northampton and State of Pennsylvania, and described as follows to wit:

CONTAINING in front on the North side of said Berwick Street, approximately twenty (20) feet and extending of that width Northwardly between parallel lines one hundred and forty (140) feet more or less to Hoyt Alley. The Eastern boundary line being the line of the middle partition wall of the double frame dwelling erected on these premises and the premises bounding these premises on the East.

THE ABOVE REFERRED TO PREMISES are also bounded and described as follows:

BEGINNING at a point of the North side of Berwick Street, said point of beginning being 180 feet West of the intersection of the northern building line of Berwick

Street and the western building line of Reynolds Street; the western building line of Reynolds Street; thence West 20 feet along the North side of Berwick Street to a point, property now or late of Doris J. Shellenberger; thence northwardly 140 feet, more or less, to Hoyt Alley; thence along the South side of Hoyt Alley East 20 feet to property now or late of Floyd M. and Gertrude Shafer; thence southwardly 140 feet, more or less, to the North side of Berwick Street, the point, the place of beginning.

BOUNDED on the north by Hoyt Alley, on the east by property of the said Floyd M. and Gertrude Shafer, on the south by said Berwick Street, and on the West by property now or late of the said Doris J. Shellenberger.

Northampton County Tax Parcel number: L9SE4C-24-6A.

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 Shirley A. Choice.

DAWN M. SCHMIDT, ESQUIRE

**No. 5
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-007118**

ALL THAT CERTAIN message or tenement and tract or parcel of land situate along the westerly side of the Public Road leading from Freemansburg to Butztown, between Fairview Street and Keystone Street, and being all of lots numbered 1754, 1755, 1810 and 1811, and the northerly 0.71 feet of lots numbered 1753 and 1809, as shown on Map or Plan of Bethlehem

Annex, in the Township of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, bounded and described according to a survey thereof, made the 13th day of October, 1948, by Leonard M. Fraivillig Company, Engineers, Bethlehem, Pennsylvania, as follows, to wit:

BEGINNING at a point on the westerly side of Freemansburg-Butztown Road, distance two hundred twenty-four and twenty-nine one-hundredths (224.29) feet northwardly along the said westerly side of the Freemansburg-Butztown Road from its intersection with the northerly side of Fairview Street; thence extending North 4 degrees 00 minutes East along the westerly side of the Freemansburg-Butztown Road, a distance of forty and seventy-one one hundredths (40.71) feet to a point in line of land of Joseph Balazs; thence extending North 86 degrees 00 minutes West along the division line between lots 1811, 1755 and 1812, 1756, as shown on map or plan of Bethlehem Annex, and along land of Joseph Balazs, a distance of two hundred twenty (220) feet to an iron pipe on the easterly side of Second Street; thence extending South 1 degree 00 minutes West along the easterly side of Second Street, a distance of forty and seventy-one one-hundredths (40.71) feet to a point; thence extending South 86 degrees 00 minutes East through and across lots numbered 1753 and 1809 as shown on aforesaid plan, a distance of two hundred twenty (220) feet to the point on the easterly side of Freemansburg-Butztown Road, the point the place of beginning.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL

IDENTIFIER: MAP N7NW3, BLOCK 42, LOT 9.

BEING KNOWN AS: 1925 Willow Park Road, Bethlehem, PA 18020.

PROPERTY ID NO.: N7NW3-42-9.

TITLE TO SAID PREMISES IS VESTED IN Thomas C. Mowery and Christine L. Mowery, husband and wife by deed from Helen Hagy, widow dated 2/26/99 recorded 3/9/99 in Deed Book 1999-1 Page 32461.

THEREON BEING ERECTED a brick bungalow w/attached one-car garage and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Thomas C. Mowery and Christine L. Mowery.

MARK J. UDREN, ESQUIRE

No. 6
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2003-003709

ALL THAT CERTAIN tract, piece or parcel of land situate in the Township of Washington, County of Northampton and State of Pennsylvania being Lot No. 2 of the Subdivision of Property of Reade E. Transue, Jr., as set forth in Plan Book 93, Page 115, bounded and described as follows, to wit:

BEGINNING at an iron pin on the southerly right-of-way line of the State Highway leading from Bangor to Pen Argyl (S.R. 512), a corner also of land of Leon J. Pinto; thence along said highway South 64 Degrees 36 Minutes 58 Seconds East 156.94 Feet to a spike, a corner also of Lot No. 1, which lot is other land of Reade E. Transue, Jr. grantor hereof, of which this lot is a part; thence along said Lot No. 1 South 25 Degrees 23 Minutes 02 Seconds West 250.00 Feet to an

iron pin; thence continuing along the same North 64 Degrees 36 Minutes 58 Seconds West 163.50 Feet to a point on line of land of Leon J. Pinto; thence along said land North 26 Degrees 51 Minutes 49 Seconds East 250.08 Feet to the place of BEGINNING.

CONTAINING 40,042.22 square feet, and being Lot No. 2 according to a Subdivision of Property of Reade E. Transue, Jr., being recorded in Plan Book 93, Page 115.

BEING THE SAME PREMISES which Anthony P. Romano, widower, by his Deed dated April 2, 1999 and recorded in the Office for the Recording of Deeds of Northampton County on September 28, 1999, at Deed Book Volume 1999-1, Page 147517, did grant and convey unto Anthony P. Romano, widower, and David A. Romano, single, as joint tenants with right of survivorship and not as tenants in common.

TAX PARCEL IDENTIFIER NO.: E-9-2-4B.

THEREON BEING ERECTED a six bay commercial garage w/office.

SEIZED AND TAKEN into execution of the writ as the property of Slate Belt Tire and Auto, Inc., a Pennsylvania Corporation, and Anthony P. Romano, Sr. a/k/a Anthony P. Romano and David A. Romano.

WILLIAM J. McCARTHY, III,
ESQUIRE

No. 7
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
1999-C-05957

ALL THAT LOT OR CERTAIN piece of land situate, in the Township of Williams, County of Northampton and State of Pennsylvania bounded and described as follows to wit:

BEGINNING at a point in the road known as Legislative Route

48102 or Tumblecreek Road and also being the corner of Lot #2, thence in said road South 25 degrees 6 minutes 7 seconds East 100.73 feet to a point, thence along Lot #2 the following courses and distances:

1. South 50 degrees 09 minutes 58 seconds West (passing over a point 31.01 feet) 211.92 feet to a point.

2. North 35 degrees 06 minutes West 217.64 feet to a point.

3. North 31 degrees 05 minutes 06 seconds East (passing over a point 186.13 feet) 246.49 feet to the point and place of beginning.

CONTAINING 1.221 acres.

PARCEL: #N8-16-3D-2.

EXCEPTING THEREOUT the portion dedicated for public use.

CONTAINING 0.217 acres.

TITLE to said premises is vested in Franklin A. Fodero, Jr. by Deed from Franklin A. Fodero, Sr. and Catherine E. Fodero and Franklin A. Fodero, Jr., her husband, dated 6/25/98 and recorded 6/30/98 in Deed Book Volume 1998-1 page 83714.

BEING KNOWN AS 175 Tumblecreek Road, Easton, Pennsylvania.

THEREON BEING ERECTED a ranch style dwelling w/attached one-car garage, wood exterior, and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Franklin A. Fodero.

STEVEN K. EISENBERG,
ESQUIRE

No. 8

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2003-00000086**

ALL THAT CERTAIN lot or piece of ground situate in the Township

of Plainfield, Northampton County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the public road leading from Easton to Wind Gap, thence along land now or late of Jacob Itterly, South 66 1/2 degrees West 10 perches to an iron pin; thence by lands now or late of Edwin N. Clewell, South 28 1/2 degrees West 4 4/10 perches to a stone; thence by land now or late of Jonathan Stern, North 75 degrees East 13 7/10 perches to an iron pin in said public road and along lands now or late of Slate Belt Traction Co., North 48 degrees West 68 feet 8 inches to the place of BEGINNING.

HAVING THEREON ERECTED A DWELLING HOUSE KNOWN AS 5665 Sullivan Trail, Nazareth, Pennsylvania 18064.

TAX PARCEL: H8SE4-2-5.

BEING THE SAME PREMISES WHICH Leroy C. Wilcox; and Patricia A. Wilcox, his wife by deed dated 5/21/02 and recorded in Deed Book 2002-1, Page 147705 granted and conveyed unto Nicole R. Ebner.

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

SEIZED AND TAKEN into execution of the writ as the property of Nicole R. Ebner.

LEON P. HALLER, ESQUIRE

No. 9

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2003-007423**

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

BEGINNING at a point on the Westerly curb line of Kennedy Drive, a corner of land belonging to Domenic DeRea and Lilly DeRea, his wife; thence along said curb line South 5 degrees 23 minutes West 164 feet, more or less, to a point on line of John Goffredo and Sons, Inc.; thence along said line South 70 degrees 00 minutes West 206.0 feet to an old stone corner; thence North 7 degrees 00 minutes East, along land late of Jacob Godshalk, now of Joseph H. Beers and wife, 191 feet, more or less, to an iron pin, which pin is one and one-half feet South of a black birch tree; thence North 82 degrees 26 minutes East, along land of Domenic DeRea and Lilly DeRea, his wife, first above mentioned, for a distance of 240 feet, more or less, to the point of beginning.

CONTAINING Lot No. 2 in accordance with a Map of The Slate Belt Park Property prepared for Mabel Cascioli by Michael A. Policelli, Registered Engineer, in October 1971 to Drawing Number C-2044.

SAID premises are more accurately described in accordance with a survey made by George J. Collura, Registered Surveyor, October 30, 1978, as follows, to wit:

BEGINNING at a point on the Westerly curb line of Kennedy Drive, a corner of land belonging to Lilly DeRea; thence along curb line South 5 degrees 23 minutes West 158.92 feet to a point in line of land of the Grantors; thence along said line, South 72 degrees 13 minutes West 223 feet to a corner in land of Slate Belt Medical Center; thence along the same North 6 degrees 49 minutes West 194.21 feet more or less to an iron pin in the Southwest corner of land of Lilly DeRea; thence

along land of said Lilly DeRea North 82 degrees 22 minutes 51 seconds East 252.54 feet to a point on the Westerly curb line of Kennedy Drive, the place of beginning.

CONTAINING 0.9368 acres.

TAX PARCEL #D9-16-4L.

BEING KNOWN AS 260 Kennedy Drive, Roseto, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of David A. Romano, as real owner and mortgagor, Anthony P. Romano, as real owner and mortgagor and Lonnie R. Romano, as mortgagor.

BARBARA A. FEIN, ESQUIRE

No. 12

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2003-003821**

ALL THAT CERTAIN messuage, tenement, and two lots situated on the East side of Siegfried Avenue (formerly Levan Avenue) between 20th and 21st Streets, in the Second Ward of the Borough and County of Northampton, Pennsylvania, bounded on the South by property of Leo Thomas, on the West by Siegfried Avenue, on the North by property of W.G. Drumheller, and on the East by an alley.

CONTAINING in front on Siegfried Avenue fifty (50) feet and extending Eastward of that width one hundred and thirty (130) feet to the aforesaid alley. BEING known as Lots Nos. 4 and 5 on plan of town lots known as Levan Park.

BEING known as 2035 LAUBACH STREET A/K/A AVENUE, NORTHAMPTON, PA 18067.
PARCEL #L4S W1C-20-5.

BEING THE SAME PREMISES which Eric Klemp and Felicia M. Todaro, now through marriage known as Felicia M. Klemp, husband and wife, by Deed dated October 22, 1996 and recorded October 28, 1996 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 1996-1, Page 112864, granted and conveyed unto ERIC KLEMP and FELICIA M. KLEMP, husband and wife.

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

SEIZED AND TAKEN into execution of the writ as the property of Felicia M. Klemp and Eric Klemp.

GREGORY JAVARDIAN,
ESQUIRE

No. 13

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-002500**

ALL THAT CERTAIN dwelling house and lot of land situate on the north side of and known as 117 W. St. Joseph St., in the City of Easton, County of Northampton and State of Pennsylvania, containing in front on said W. St. Joseph Street 32 feet and extending Northwardly of that width 125 feet in depth to Orchard Alley.

BOUNDED on the North by said alley; on the East by property now or formerly of Michael Gerbing and HESSIE GERBING, his wife; on the South by said W. St. Joseph Street; and on the West by property now or formerly of Thomas Barton and Helen Barton, his wife.

Northampton County Tax Parcel number: L9SE3B-6-5.

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 Joseph E. Welsh and Sharon Davis.

DAWN M. SCHMIDT, ESQUIRE

No. 14

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-002702**

ALL THAT CERTAIN lot or piece of land with the improvements thereon situate on the south side of St. Joseph Street in the 9th Ward of the City of Easton, County of Northampton and State of Pennsylvania being known as Lot Number 24 on plan of lots of James Regnery surveyed and laid out by L.A. Francisco, Eng., which said plan is recorded in the Office of the Recorder of Deeds, etc., at Easton, in and for said County of Northampton, in Map Book #2, Page 125, said lot being described as follows to wit:

CONTAINING in front on south side of St. Joseph twenty-five (25) feet and extending southwardly of that same width between parallel lines at right angles to said St. Joseph Street one hundred twenty-five (125) feet to a private alley.

BOUNDED on the East by Lot #23 on said plan; on the North by said St. Joseph Street; on the West by Lot #25 on said plan; on the South by said private alley. The house erected thereon being known as #151 East St. Joseph Street.

Northampton County Tax Parcel number: L9SE3B-11-10.

BEING KNOWN AS 151 East St. Joseph Street, Easton, Pennsylvania.

THEREON BEING ERECTED a two and one-half story one-half of a double dwelling with aluminum siding exterior; one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Leigh Fuel Corporation.

DAWN M. SCHMIDT, ESQUIRE

No. 15
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-004565

ALL THAT CERTAIN message or tenement and lot or piece of ground situate on the North side of East Eighth Street between Lynn Avenue and Brinker Street and known as 1531 East Eighth Street, according to the numbering system of the City of Bethlehem, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the North side of East Eighth Street, dividing line between properties 1533 and 1521 East Eighth Street; thence extending North 5 degrees 03 minutes West, passing through the party wall a distance of seventy-five and twenty-eight one-hundredths (75.28) feet to an iron pin; thence Southeast 84 degrees 57 minutes West a distance of zero and seventy one-hundredths (0.70) feet; thence extending North 5 degrees 03 minutes West through the party wall of the garage a distance of twenty-four and seventy-two one-hundredth (24.72) feet to the South side of Thurston Street, a fifteen (15) feet wide street; thence along line South side of Thurston South 84 degrees 57 minutes West a distance of twenty-nine and ninety one-hundredths (29.20) feet, more or less, to the East side of Arnold Street; thence Southwardly along the East side of Arnold Street a distance of one hundred (100) feet, more or less, to the Northeast corner of Eighth and Arnold Streets; thence North 84 degrees 57 minutes East along the

North side of Eighth Street a distance of twenty-seven and eighty one-hundredths (27.80) feet, more or less, to the point of beginning.

BOUNDED on the South by East Eighth Street, on the East by property 1533 East Eighth Street, on the North by Thurston Street and on the West by Arnold Street.

HAVING erected thereon a dwelling known and numbered as East Eighth Street, Bethlehem, Northampton County, Pennsylvania according to the present system of City numbering.

ALSO known as Northampton County Uniform Parcel Identifier Map: P7SW1B BLOCK: 7 LOT: 23. Tax Parcel #P7SW1B-7-23.

TITLE TO SAID PREMISES IS VESTED IN Arnaldo Rodriguez and Ivette Rodriguez, husband and wife by Deed from Michael J. Sterner and Corina Sterner, husband and wife, dated 8/31/1993 and recorded 9/1/1993 in Deed Volume 908, Page 28.

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

SEIZED AND TAKEN into execution of the writ as the property of Arnaldo Rodriguez and Ivette Rodriguez.

MARTHA E. VON ROSENSTIEL,
ESQUIRE

No. 16
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-006006

ALL THAT CERTAIN message and tract, piece or parcel of land situate in the Township of Plainfield, County of Northampton, and Commonwealth of Pennsylvania (as shown on a subdivision plan entitled Fancy Furrow Farms Lot 3 & 6, dated September 24, 2001, pre-

pared by Lehigh Engineering Associates, Inc.), bounded and described as follows, to wit:

BEGINNING at an iron pin located along the roadway right-of-way line of Buck Drive, 55.00 feet from the center of the cul-de-sac; pin located at a common corner of Lot 6B in the same subdivision and the lands herein described, thence;

1) S 19 degrees 11 minutes 55 seconds W, 244.89 feet along Lot 6B of the same subdivision to an iron pin, thence;

2) S 80 degrees 16 minutes 50 seconds W, 217.22 feet along Lot 10 of the same subdivision to an iron pin, thence;

3) N 36 degrees 10 minutes 10 seconds W, 53.69 feet along the lands now or former of Jack E. & Dorothy A. Gebhardt: to a concrete monument, thence;

4) N 13 degrees 11 minutes 50 seconds E, 517.80 feet along the lands now or former of Jack E. & Dorothy A. Gebhardt: to a concrete monument, thence;

5) N 80 degrees 16 minutes 50 seconds E, 259.61 feet along the lands now or former of Raymond P. & Jean A. Werkheiser to an iron pin, thence;

6) S 09 degrees 43 minutes 10 seconds E, 232.50 feet along Lot 5 of the same subdivision to an iron pin, thence;

7) S 80 degrees 16 minutes 50 seconds W, 19.19 feet along the right-to-way of Buck Drive 30.00 feet from centerline to a concrete monument, thence;

8) Along an arc curving to the right having a radius of 20.00 feet and a length of 16.82 feet (long chord N 75 degrees 37 minutes 28 seconds W; 16.33 feet) along the

right-of-way of Buck Drive to a concrete monument, thence;

9) Along an arc curving to the left having a radius of 55.00 feet and a length of 191.29 feet (long chord S 28 degrees 50 minutes 04 seconds W, 108.46 feet) along the same subdivision to the aforementioned place of beginning.

CONTAINING 147,684.25 sq. ft. (3,3904 acres).

TOGETHER WITH and subject to easements, restrictions and covenants of record.

THIS DESCRIPTION prepared by Lehigh Engineering Associates, Inc. on November 21, 2001.

BEING PART OF THE SAME PREMISES WHICH JOHN ACKERMAN, JR. AND DONALD ACKERMAN T/A FANCY FARMS, by Deed dated 4/25/2001 and recorded 4/25/2001 in the Office for the Recorder of Deeds in and for the County of Northampton, and Commonwealth of Pennsylvania in Deed Book Volume 2001-1, Page 68016, granted and conveyed unto REEN DEVELOPMENT COMPANY LLC, grantor herein.

TITLE TO SAID PREMISES IS VESTED IN Brian Costabile, by Deed from Reen Development Company, LLC, dated 11-1-02, recorded 11-7-02, in Deed Book 2002-1, page 310513.

Premises being: 991 BUCK DRIVE, NAZARETH, PA 18064.

Tax Parcel No. G9-11-7C-1-0626.

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

SEIZED AND TAKEN into execution of the writ as the property of Brian Constabile.

DANIEL G. SCHMIEG,
ESQUIRE

No. 17
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-7681

ALL THAT CERTAIN lot or parcel of land, with the improvements erected thereon, situate on the east side of Old Forge Drive between Creek Road and Northampton Street, and designated as 417 Old Forge Drive, Lot 137, Old Forge Estates, Section II, in the Borough of Bath, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the east right-of-way line of Old Forge Drive (a 45.00 feet wide street); said point being a common corner of lands herein described and Lot 36, Old Forge Estates, Section II; thence, along the east right-of-way line of Old Forge Drive, North 35 degrees 48 minutes 31 seconds West, 34.00 feet to a point, a corner in common with Lot 136, Old Forge Estates, Section II; thence, along Lot 136, in and through a common party wall, North 54 degrees 11 minutes 29 seconds East, 101.98 feet. to a point, a corner in line of lands now or formerly of the Bath Borough Authority; thence, along lands of the Bath Borough Authority, South 21 degrees 53 minutes 00 seconds East, 35.02 feet to a point, a corner in common with Lot 36, Old Forge Estates, Section II; thence, along Lot 36, South 54 degrees 11 minutes 29 seconds West, 93.55 feet to a point being the point and place of BEGINNING.

CONTAINING 3,323 square feet of land, or 0.0763 acres more or less.

SUBJECT to the building restriction lines and easements indicated on the plan of record.

BEING more fully shown as Lot 137 on the map or plan entitled 'Final Plan prepared for Old Forge Estates located in the Borough of Bath, Northampton County, Pennsylvania, Scale: 1 inch=50 feet, Date: April, 1972, latest revision January 16, 1978,' as prepared by Frank G. Waldraff, P.E., Bethlehem, Pennsylvania and recorded in Map Book Volume 52, Page 42, in the Office for the Recorder of Deeds for Northampton County at Easton, Pennsylvania.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NO.: Map K6NW1C, Block 3, Lot 1A.

BEING THE SAME PREMISES which Greg S. Demko by Deed dated January 22, 1997 and recorded in the Office of the Recorder of Deeds in and for Northampton County, on January 24, 1997, in Record Book Volume 1997-1, Page 007513, did grant and convey unto Greg S. Demko and Tammy M. Demko, husband and wife, Grantors herein.

TITLE TO SAID PREMISES IS VESTED IN Edward J. Funk and Barbara A. Funk, husband and wife, by Deed from Greg S. Demko and Tammy M. Demko, husband and wife, dated 4-15-99, recorded 4-22-99, in Deed Book 1999-1, page 57062.

Premises being: 417 OLD FORGE ROAD, BATH, PA 18014.

Tax Parcel No, K6NW1C3-1A-0503.

THEREON BEING ERECTED a two story brick and aluminum sided row dwelling with shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Edward J. Funk and Barbara A. Funk.

DANIEL G. SCHMIEG,
ESQUIRE

No. 18
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-007545

ALL THAT CERTAIN frame dwelling, with the lot of ground thereunto belonging, situate and known as No. 1510 Poplar Street, in the Fourth Ward of the Borough of Northampton, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a stake on the western line of Poplar Street, said stake being South forty (40) degrees four (4) minutes East from the southwestern corner of West 16th and Poplar Street for a distance of two hundred three and sixty one-hundredth (203.60) feet; THENCE along the western line of Poplar Street South forty (40) degrees four (4) minutes East for a distance of fifteen and forty-nine one-hundredths (15.49) feet to a stake; THENCE along the line of property known as No. 1508 Poplar Street South forty-nine (49) degrees fifty-six (56) minutes West for a distance of one hundred thirty-eight and ninety-eight one-hundredth (138.98) feet to a stake on the eastern line of a fifteen foot wide alley; THENCE along said line North forty-four (44) degrees thirty (30) minutes West for a distance of fifteen and fifty-three (15.53) feet to a stake; THENCE along the line and through the center of the party wall between houses Nos. 1510 and 1512 North forty-nine (49) degrees fifty-six (56) minutes East for a distance of one hundred forty and nineteen and no/100 (140.19) feet to the place of BEGINNING.

CONTAINING 2,162.16 square feet.

Vesting Information:

Vested by: Special Warranty Deed dated 10/29/04, given by The Holley Family Trust, by and through its Trustees, Carl F. Holley and Barbara A. Holley to Katheryn Gonzalez recorded 11/1/04 in Book: 2004-1 Page 422281.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: M4NW1B-10-14.

BEING KNOWN AS 1510 Poplar Street, Northampton, 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 Katheryn Gonzalez a/k/a Kathryn Dennington.

DANIEL G. SCHMIEG,
ESQUIRE

No. 19
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2001-007684

ALL THOSE CERTAIN messuages, tenements, tracts, lots or pieces of land situate in the Borough of Bangor, in the County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

TRACT NO. 1: BEGINNING on the South corner of Lot No. 11 on First Street; thence on line of said First Street Southward fifty-one and one-half feet to land of W.C. Sherrer; thence along said land Westward one hundred and forty feet to Spring Alley; thence along said alley Northward fifty-one and one-half feet to line of Lot No. 11, land of Jacob Strunk Estate; thence along line of said land Eastward one hundred and forty feet to the place of Beginning.

CONTAINING said building lot designated No. 12 on plots of lots of Straub and Shull.

TRACT NO. 2: ALL THAT PIECE or parcel of land five feet in width and fifty-one and one-half feet long, situate on the East front line of Lot No. 12 on plot of Straub and Shull, and on the West side of First Street, it being a parcel of ground remaining by changing First Street further East.

TITLE TO SAID PREMISES IS VESTED IN Lori A. Agolio, unmarried and Blanche A. Kerchner, unmarried, as joint tenants with right of survivorship by Deed from Eileen Heine dated 8/8/2000 and recorded 8/16/2000 in Record Book Volume 2000-1 page 105688.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: E9NE2A-3-11.

BEING KNOWN AS 78 North First Street, Bangor, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Lori A. Agolio and Blanche A. Kerschner a/k/a Blanche A. Kerchner.

DANIEL G. SCHMIEG,
ESQUIRE

No. 20
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-004073

ALL THAT CERTAIN lot or piece of ground with all appurtenances thereon situated on the South side of Lehigh Street known as Number 1008 in the City of Easton, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

CONTAINING in front on said Lehigh Street twenty-two and one-fifth feet (22 1/5 feet) and extending of that width Southwardly ninety-five feet, six inches (95 feet 6 inches) to ground of Matilda Taylor.

BOUNDED on the North by said Lehigh Street, on the East by Lot of Oscar J. Koch, on the West by Lot of Emma Barnet and on the South by lot of Matilda Taylor.

ALSO BEING KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: MAP L9SE1D BLOCK 21 LOT 19.

BEING THE SAME PREMISES which Federal National Mortgage Association, by Deed dated April 21, 1998, and recorded in the Recorder of Deeds Office of Northampton County, Pennsylvania, in Record Book Volume 1998-1, Page 58742, granted and conveyed unto Jeffrey A. Porter and Christina A. Kennedy, both unmarried.

TITLE TO SAID PREMISES IS VESTED IN Charles E. Wynn, married, by Deed from Jeffrey A. Porter and Christina A. Kennedy, both unmarried, dated 12-14-98, recorded 1-7-99, in Deed Book 1999-1, page 2484.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SE1D-21-19.

BEING KNOWN AS 1008 Lehigh Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Charles E. Wynn a/k/a Charles Edward Wynn a/k/a Charles Wynn.

DANIEL G. SCHMIEG,
ESQUIRE

No. 21
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-007258

PREMISES A

ALL THOSE TWO adjacent lots of land, hereditaments and appurtenances, situate in the Borough of West Easton, County of Northampton and State of Pennsylvania, and known and designated on the Map of South Side Land Company, filed in the Recorder's Office at Easton, Pennsylvania, in List of Maps No. 1, page 32, as Lots No. 327 and 328.

CONTAINING together in front on 9th Street 40 feet and extending in depth of that width 130 feet to a 15 feet wide alley.

AND ALL THOSE TWO certain lots, pieces or parcels of land, hereditaments and appurtenances, situate, lying and being on the South side of 9th Street, in the Borough of West Easton, County of Northampton and State of Pennsylvania, and marked upon the Map of South Side Land Company which is filed of record in the Office of the Recorder of Deeds at Easton, Pennsylvania, in Book of Maps Volume 1, page 32, as and by Lots No. 329 and 330, which are adjacent lots.

CONTAINING together in front on said 9th Street 40 feet and extending of that width in depth between parallel lines at right angles to said 9th Street 130 feet to a 15 feet wide alley. Bounded on the North by 9th Street, East by Lot No. 328, South by said alley and West by Lot No. 331.

AND ALSO ALL THOSE TWO certain lots, hereditaments and appurtenances, situate on the South side of 9th Street, in the Borough of West Easton, County of North-

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

COMPRISING 2 adjacent lots of ground situate on the South side of 9th Street and known and designated on the aforesaid Map of South Side Land Company Building Lots, recorded as aforesaid, as and by Lots No. 325 and 326, containing in front on said 9th Street 40 feet wide and of that same width extending Southwardly in depth 130 feet to a 15 feet wide alley. Bounded on the North by said 9th Street, on the East by Lot No. 324, on the South by said alley and on the West by Lot No. 327.

BEING known as Northampton County Tax Parcel Identifier No. L9SW3D-16-2.

PREMISES B

ALL THAT CERTAIN triangular shaped lot or piece of land, hereditaments and appurtenances, situate in the Borough of West Easton, County of Northampton and State of Pennsylvania, more fully described as follows:

BEGINNING at a point on the Eastwardly side of Keystone Avenue in the aforesaid Borough of West Easton; thence along the Southwardly side of a 20 foot wide alley in an Eastwardly direction a distance of 248 feet, more or less, to an unopened, unnamed street; thence along said unopened, unnamed street in a Southwardly direction a distance of 5 feet, more or less, to a point in line of lands of the Lehigh Valley Railroad; thence along said lands in a Westerly direction a distance of 109 feet, more or less, to a point; thence in a Northwestwardly direction, still along lands of Lehigh Valley Railroad, a distance of 145 feet, more or less, to a point in the

Eastwardly side of the aforesaid Keystone Avenue; thence in a Northwardly direction, along said Keystone Avenue, a distance of 3 feet, more or less, to a point, the place of beginning.

BOUNDED on the North by lands of Robert J. and Marian M. Schaffer, and Robert L. and Ethel I. Deubler, on the East by an unopened, unnamed street, on the South by lands of Lehigh Valley Railroad and on the West by Keystone Avenue.

BEING known as Northampton County Tax Parcel Identifier No. L9SW3D-16-4.

BEING the same premises which Ronald A. Nigro and Janet L. Nigro, by Deed dated April 4, 2002 and recorded in the Office of the Recorder of Deeds of Northampton County on April 5, 2002, at Deed Book Volume 2002-1, Page 88574, granted and conveyed unto Stephen Kradlak.

BEING KNOWN AS 414 Ninth Street, Easton, Pennsylvania.

THEREON BEING ERECTED a cape style dwelling w/attached two-car garage, asbestos siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Stephen Kradlak.

KRISTINE M. ANTHOU,
ESQUIRE

No. 22
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-007815

ALL THAT CERTAIN lot or piece of ground situate on the north side of Ferry Street, between Warren and Eleventh Street, in the City of Easton, County of Northampton and State of Pennsylvania, containing in width twenty (20) feet more or less

and extending of that width in depth ninety-four (94) feet.

BOUNDED on the South by Ferry Street, on the East by property of John and Victoria Marfia and on the North by property of Howard and Mamie Stangle, and on the West by property of which this is a part, known as 1037 Ferry Street.

BEING KNOWN AS 1037 Ferry Street, Easton, Pennsylvania.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NO.: MAP: L9SEIA. BLOCK: 28. LOT: 6.

BEING THE SAME PREMISES which T & P Realty LLC, by Deed dated August 31, 1998 and intended to be forthwith recorded in the Office for the Recording of Deeds in and for Northampton County, at Easton, Pennsylvania, granted and conveyed unto Federico Terrazas and Catalina Gonzalez.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Federico Terrazas and Catalina Gonzalez, by Deed from Top Realty, LLC, dated 8-31-98, recorded 9-2-98 in Deed Book 1998-1, page 119692.

PRIOR DEED INFORMATION

TITLE TO SAID PREMISES IS VESTED IN Top Realty, LLC, by Deed from Nazareth National Bank and Trust Company, dated 12-26-96, recorded 1-28-97 in Deed Book 1997-1, page 8403.

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 Federico Terrazas and Catalina Gonzalez.

DANIEL G. SCHMIEG,
ESQUIRE

No. 23
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-007955

ALL THAT CERTAIN lot or piece of ground situate on the westerly side of Walnut Drive, known as 1299 Walnut Drive and shown on a survey plan titled Property Survey for Bruce and Lynn Miller, as prepared by Kenneth R. Hahn, P.L.S. on drawing No. 2001-94, dated November 5, 2001, located in the Township of Lehigh, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the westerly side of Walnut Drive, said point also marking the southeasterly property corner of, now or formerly, Jeffrey Mickey; thence, extending along the westerly right-of-way line of Walnut Drive, South 19 degrees 30 minutes 00 seconds East, 106.55 feet to a point; thence, extending along the southerly and westerly property lines of, now or formerly, Lehigh Township, the following two (2) courses and distances: (1) South 70 degrees 30 minutes 00 seconds West, passing through an iron pin found on line, a total distance of 154.50 feet to a point; (2) North 19 degrees 30 minutes 00 seconds West, passing through an iron pin found on line at 97.93 feet, a total distance of 106.55 feet; thence, extending along the southerly property line of, now or formerly, Jeffrey Mickey, North 70 degrees 30 minutes 00 seconds East, 154.50 feet to the place of BEGINNING.

CONTAINING 16,461.975 Square Feet, 0.3779 Acres.

BEING PART OF THE SAME PREMISES which Kenneth O.

Benninger, Executor Under the Last Will and Testament of Clarence C. Benninger, deceased, by Deed dated August 30, 1989 and recorded September 1, 1989 in the Office of the Recorder of Deeds in and for the County of Northampton in Deed Volume 779, Page 261, did grant and convey unto Bruce A. Miller and Lynn Miller, Husband and Wife, Grantors herein, in fee.

TITLE TO SAID PREMISES IS VESTED IN Robert D. Deifer and Barbara A. Razzano by Deed from Bruce A. Miller and Lynn Miller, Husband and Wife, dated 11-26-01, recorded 12-19-01 in Deed Book 2001-1, page 274984.

Premises being: 1299 WALNUT DRIVE, DANIELSVILLE, PA 18038.

Tax Parcel No. H3NE1-3-9-0516.

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

SEIZED AND TAKEN into execution of the writ as the property of Barbara A. Razzano and Robert D. Deifer.

DANIEL G. SCHMIEG,
ESQUIRE

No. 25
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-007954

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

BEGINNING at a point in South Main Street, corner of land now conveyed to Florence R. Hartzell and Abraham Hartzell, thence along said South Main Street North five and one-half degrees West Thirty feet, more or less, to a corner of land

now or late of Judson Labar; thence along said Labar's land, South eighty-four and one-half degrees West one hundred and twenty feet, to a stone in an alley or street; thence along said alley or street, South five and one-half degrees East thirty feet, more or less, in line of land now or late of Florence R. Hartzell and Abraham Hartzell; thence in and along said Hartzell's land, North eighty-four and one-half degrees East one hundred twenty feet to a point in said South Main Street, the place of BEGINNING.

CONTAINING thirty feet, more or less, in front on South Main Street and being one hundred twenty feet in depth. BEING PARCEL NO. E9NE3D-3-9.

BEING THE SAME PREMISES which Andrew M. Cuomo, The Secretary of Housing and Urban Development by Deed dated April 24, 2000 and recorded May 4, 2000 in the Office of the Recorder of Deeds of Northampton County in Deed Book Volumbe 2000-1 at page 53567, granted and conveyed unto Timothy Beams.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Randolph Gerringe, singleman, by Deed from Timothy Beams, dated 10-3-00, recorded 10-13-00 in Deed Book 2000-1, page 135398.

PRIOR DEED INFORMATION

TITLE TO SAID PREMISES IS VESTED IN Timothy Beams, by Deed from, Andrew M. Cuomo, the Secretary of Housing and Urban Development dated 4-24-00, recorded 5-4-00 in Deed Book 2000-1, page 53567.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: E9NE3D-3-9.

BEING KNOWN AS 652 South Main Street, Bangor, 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 Randolph Gerringe.

DANIEL G. SCHMIEG,
ESQUIRE

**No. 26
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-007150**

ALL THAT CERTAIN message or tenement and lot or piece of ground situate in the Sixteenth Ward of the City of Bethlehem, Northampton County, Pennsylvania, known as 304 Crest Avenue according to present City numbering, bounded and described as follows,

BEGINNING at a point on the Southerly line of Crest Avenue distance thirty feet eastwardly from the easterly line of signet Street, said point being on the extension of a line passing through the party of partition wall dividing the dwelling erected on the within-described premises and the one adjoining it immediately on the west, thence eastwardly 30 feet to a point, thence southwardly of that same width, between parallel lines at right angles to Crest Avenue, a distance of 120 feet to the northerly line of an unnamed twenty-foot wide alley, the westerly line thereof passing partly through the middle of the party or partition wall aforementioned.

UNDER AND SUBJECT to rights, reservations, exceptions and restrictions as set forth in prior instruments of record.

PROPERTY ADDRESS: 304 Crest Avenue, Bethlehem, PA 18015.

TAX PARCEL I.D. NO. P75W3C-4-2.

TITLE TO SAID PREMISES IS VESTED IN Joseph A. Yingling by reason of the following:

BEING THE SAME PREMISES WHICH Leon L. Flickinger and Malvin E. Flickinger, husband and wife by Deed dated 11/11/1963 and recorded 11/16/1963 in the County of Northampton in Deed Book Volume 206, Page 100, conveyed unto Harold F. Stiles and Dorothy M. Stiles, husband and wife, in fee.

AND BEING THE SAME PREMISES WHICH Dorothy M. Stiles, deceased, Beverly A. Yingling and Joseph Yingling, her husband, by Deed dated 9/28/1999 and recorded 10/8/1999 in the County of Northampton in Deed Book Volume 1999-1, Page 153382, conveyed unto Joseph Yingling and Beverly A. Yingling, husband and wife, in fee.

AND THE SAID Beverly A. Yingling departed this life on 12/19/2002 whereby title to subject premises became vested in Joseph Yingling by right of survivorship.

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

SEIZED AND TAKEN into execution of the writ as the property of Joseph Yingling a/k/a Joseph A. Yingling.

MARTHA E. VON ROSENSTIEL,
ESQUIRE

No. 27
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-007382

PARCEL #1

ALL THAT CERTAIN message, tenement, tract or lot of land situate in the Township of East Allen, County of Northampton and Com-

monwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point at the corner of land now or late of Ray A. and Margaret Fenstermaker, said point being in the original center line of the public road leading from Northampton to Bath;

Thence, along said center line, South 81 degrees 06 minutes West, for a distance of 75.00 feet to a point in said center line of public road;

Thence, through lands of which the herein described tract was formerly a part, North 08 degrees 54 minutes West, for a distance of 150.00 feet to a stake;

Thence, by the same, North 81 degrees 06 minutes East, for a distance of 83.40 feet to a stake;

Thence, along the western line of property now or late of Ray A. and Margaret Fenstermaker, South 05 degrees 41 minutes East, for a distance of 150.23 feet to the place of Beginning.

PARCEL #2:

ALL THAT CERTAIN lot or parcel of land with the improvements erected thereon situate in East Allen Township, Northampton County, and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a stake on the easterly side of a ten (10) feet wide private alley and in the northwest corner of the lot now or late of Carl and Dorothy Fenstermaker, recorded in Deed Book E, Volume 95, page 216;

THENCE, along the easterly side of said ten (10) feet wide alley, North 08 degrees 54 minutes West, 70 feet to a stake at the end of said alley and at the land of the prior Grantor;

THENCE, along the land of the prior Grantor of which this was a part, North 81 degrees 6 minutes East, 174.65 feet to a stake and the land now or late of George C. Newhart;

THENCE, along the land now or late of George C. Newhart, South 02 degrees 30 minutes East, 70.44 feet to a stake and the land now or late of Ray and Margaret Fenstermaker, recorded in Deed Book F, Volume 90, page 19;

THENCE, along the land now or late of Ray and Margaret Fenstermaker and Carl and Dorothy Fenstermaker, South 81 degrees 08 minutes West, 166.80 feet to the point and place of Beginning.

TOGETHER with the nonexclusive free and uninterrupted use, liberty, and privilege of, and passage in and along an alley on the land of the Grantor running along the land now or late of Carl F. Fenstermaker and the Grantors herein, bounded and described, as follows:

BEGINNING at a pin in the old center line of State Highway leading from Bath to Northampton;

THENCE, along the center line of said highway, South 81 degrees 06 minutes West, 10 feet to a point in the land of the prior Grantor,

THENCE, in and along the land of the prior Grantor, North 08 degrees 54 minutes West, 220 feet, passing over a stake 20 feet from the start to a stake in the land of the prior Grantor;

THENCE, along the same, North 81 degrees 06 minutes East, 10 feet to a stake, said stake bring the northwest corner of the land now or late of Carl F. Fenstermaker and Dorothy U. Fenstermaker;

THENCE, along the lands now or late of Carl F. Fenstermaker and

Dorothy U. Fenstermaker, South 08 degrees 54 minutes East, 220 feet to the place of Beginning.

BEING KNOWN AS: 5057 Nor Bath Boulevard, Northampton., PA 18067.

PROPERTY ID NO.: L5-2.9.

TITLE TO SAID PREMISES IS VESTED IN Scott Schroeder, unmarried, and Heidi Sarley, unmarried, as joint tenants with the right to survivorship by deed from Jamal Hanna, married and Rima Hanna, his wife and Kamal Hanna, married and Rana Hanna his wife dated 9/24/04 recorded 9/29/04 in Deed Book 2004-1 Page 378602.

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

SEIZED AND TAKEN into execution of the writ as the property of Scott Schroeder and Heidi Sarley.

MARK J. UDREN, ESQUIRE

No. 29

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2003-001968**

All that certain tract or parcel of land situate, lying, and being in the Township of Forks, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at an iron pipe in the southwest corner of lands now or formerly of Walter Letson and wife, North fifty-one degrees thirty minutes East (N 51 degrees 30' E) a distance of two hundred twenty feet (220') to an iron pipe on the southerly side of Township Road No. 627; thence easterly along Township Road No. 627, South eighty-three degrees twenty-two minutes East (S 83 degrees 22' E) a distance of three hundred fifty-three and sixty-nine one-hundredths feet (353.69') to an

iron pipe at a distance of twenty-five (25) feet from the center line of Township Road No. 627; thence along other lands of the Grantors, South fifty-one degrees thirty-one minutes West (S 51 degrees 31' W) a distance of four hundred sixty-one and ninety-three one-hundredths feet (461.93') to an iron pipe in lands of the Grantors; thence along lands of the Grantors, forty degrees thirteen minutes West (N 40 degrees 13' W) a distance of two hundred fifty and sixty-five one-hundredths feet (250.65') to an iron pipe, the point and place of beginning. Containing 1.961 acres of land.

Tax ID# H9-12-3A.

BEING KNOWN AS: 5810 Youngs Hill Road, Easton, PA 18040.

PROPERTY ID NO.: H9-12-3A.

TITLE TO SAID PREMISES IS VESTED IN David B. Sigafoos and his wife, Kathleen J. Sigafoos by deed from George E. Young and his wife Francis H. Young dated 5/10/89 recorded 5/15/89 in Deed Book 535 Page .

THEREON BEING ERECTED a bi-level dwelling with attached two-car garage, brick and aluminum siding exterior and shingle roof; detached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of David B. Sigafoos and Kathleen J. Sigafoos.

MARK J. UDREN, ESQUIRE

No. 30
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-005140

ALL THAT CERTAIN message or tenement and lot or piece of ground situate on the northerly side of Crawford Street, between Carlisle

and Englewood Streets, in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, being Lot 14 and 14a Block 4000 on the map or plan entitled "Subdivision Layout for Section 2 of the Property of the Zinzendorf Realty Corporation at Bethlehem, Pa.", dated February 9, 1927, recorded in the Office for the Recording of Deeds in and for Northampton County in Map Book 9, Page 90, known as 915 Crawford Street according to present city numbering, bounded and described as follows:

BEGINNING at an iron pipe, the northeast corner of Hunter and Crawford Streets, and distant one hundred twenty-eight (128) feet, more or less, eastwardly from the intersection of the northerly side of Crawford Street with the easterly side of Carlisle Street; THENCE extending eastwardly along the northerly side of Crawford Street along a curve curving to the right having a radius of nine hundred ninety-four and fifty-seven hundredths (994.57) feet and the cord thereof having a bearing of South 86 degrees 41' East a distance of forty (40) feet to an iron pipe; THENCE extending North 4 degrees 33' East along Lot 13 and 13a on said plan a distance of one hundred seven and sixty hundredths (107.60) feet to an iron pipe on the southerly side of Howard Street of the width of eighteen (18) feet; THENCE extending westwardly along the southerly side of Howard Street along a curve curving to the left having a radius of ten hundred sixteen and ninety hundredths (1016.90) feet and the cord thereof having a bearing of North 87 degrees 32' West a distance of fifty (50) feet to an iron pipe

on the easterly side of Hunter Street of the width of eighteen (18) feet; THENCE extending South 0 degree 47' East along the easterly side of Hunter Street a distance of one hundred seven and thirteen hundredths (107.13) feet to the northerly side of Crawford Street, the point, the place of BEGINNING.

BEING the same property conveyed to Frank G. Cszaszar by deed from Mary A. Cszaszar, widow recorded 04/01/1998 in Deed Book 1998-1 Page 39172, in the Office of the Recorder of Deeds of Northampton County, Pennsylvania.

Property known as 915 Crawford Street, Bethlehem City, PA 18017. Parcel No. N6SE2C-16-2.

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

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

RICHARD M. SQUIRE,
ESQUIRE

No. 32
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-006631

ALL THAT CERTAIN tract or piece of land situate partly in the Borough of Wind Gap and partly in the Township of Plainfield, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the Westerly side of Broadway in line of land of Gard, thence along the Westerly side of Broadway South 21 degrees 56 minutes West, 520 feet and South 22 degrees 56 minutes West, 200 feet to a point on the concrete bridge, thence along other land of Lehigh Valley Oil Company, of which this was formerly a part, North 79

degrees 52 minutes West, 387 feet to a pipe in line of land of Redline, thence along said land of Redline North 21 degrees 22 minutes West, 856.82 feet to a stone and North 49 degrees 15 minutes East, 330.63 feet to a point in a public road, thence along said road 83 degrees 30 minutes East, 313.5 feet to a point in line of land of Brooke, thence along said land of Brooke and land of Gard South 46 degrees 55 minutes East, 552.5 feet to the place of beginning.

BEING TAX PARCEL NO. F7 11A 2B.

UNDER AND SUBJECT to any and all conditions, matters and agreements as of record.

TOGETHER with all and singular the buildings, improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the foregoing premises belonging or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of K & P Real Estate, LLC, as well at law as in equity, of, in, and to the same.

BEING KNOWN AS 950 South Broadway Street, Wind Gap, Pennsylvania.

THEREON BEING ERECTED a one story commercial building.

SEIZED AND TAKEN into execution of the writ as the property of Welcome Group, Inc., a Pennsylvania corporation and K & P Real Estate, LLC, a Pennsylvania limited liability company.

MICHAEL J. BARRIE,
ESQUIRE

No. 33
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2001-004092

ALL THAT certain lot, tract or piece of land situate in Lower Mt. Bethel Township, County of Northampton, and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a post corner of land of Tilghman Resh, then by other land of Hiram Rasely north sixty degrees west one hundred and seven perches and six tenths to a post; thence by land of Herbert Rasely north fourteen degrees and three quarters east thirty-nine perches to a post; thence by land of John Rasely north eighty-four degrees and three quarters east thirty-one perches to a post; thence by the same north seventy-nine degrees east forty-five perches and four tenths to a post, the corner of land of John Rasely; thence by the same south three degrees west sixty-nine perches and four tenths to a post, thence by land of Tilghman Resh south fourteen degrees and one-half east thirty-six perches and eight tenths to a post; the place of Beginning, Containing thirty-six acres, one hundred and fifty-three perches strict measure.

EXCEPTING AND RESERVING THEREOUT AND THEREFROM 4.30 acres which Domenico Coccia and Josephine Coccia, his wife, did, by Indenture dated the 5th day of April, 1957, and recorded in the Office for the Recording of Deeds, in and for Northampton County, at Easton, Pennsylvania, in Deed Book A, Volume No. 100 at Page 292, grant and convey unto John Nemeth, Jr. and Rose M. Nemeth,

his wife, their heirs and assigns forever.

IT BEING THE SAME PREMISES which Richard O. Helliesen, by his Deed dated August 24, 1971, on recorded on August 26, 1971, in the Recorder of Deeds Office in and for Northampton County in Deed Book Vol. 407, Page 364, granted and conveyed unto David Sohn and Barbara Sohn. David Sohn departed this life the 21st day of July, 1995, then vesting the property solely in the name of Barbara Sohn. Barbara Sohn departed this life the 30th day of November 1999.

Northampton County Tax Parcel number: G10-4-2.

BEING KNOWN AS 8670 Little Creek Road, Bangor, Pennsylvania.

THEREON BEING ERRECTED a ranch style dwelling with vinyl siding and wooden exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Lawrence Sohn, Executor of the estate of Barbara Sohn, deceased.

RICHARD BRENT SOMACH,
ESQUIRE

No. 34
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2001-001400

ALL THAT CERTAIN lot or piece of land, together with the buildings thereon erected, situate partly in Moore Township and partly in Bushkill Township, County of Northampton and State of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a spike in the Township Road #605, Johnson Road, leading from L.R. 48042 to Moorestown Cheese Company and in the corner of the land now or late

of Clayton R. Roth; thence along the center of Johnson Road, South eighty-eight (88) degrees no minutes East, seven hundred forty-eight and seventy-eight one-hundredths (748.78) feet to a spike in the road and other land of the Jacob Johnson Estate; thence along that land and the land now or late of Floyd Hoch, passing over a stake at the edge of the road South thirty-one (31) degrees twenty (20) minutes West, four hundred thirty-one and ninety-two one-hundredths (431.92) feet to a stake and the corner of the land now or late of Clayton R. Roth; thence along a fence and the land now or late of Clayton R. Roth, North fifty-three (53) degrees no minutes West, six hundred fifty-six and sixty-eight one-hundredths (656.68) feet, passing over a stake at the edge of the road to the point and place of Beginning. Containing in area 3.234 acres of land.

The above description being according to a survey made by Brice H. Freestone, R.P.E. under date of November 5, 1962.

Having erected a dwelling known as 655 Johnson Road, Northampton PA 18067.

Parcel No. H6-23-1.

BEING the same premises which Roy G. Kocher, Executor of the Last Will and Testament of John E. Kocher granted by his Deed dated 5/7/1999 and recorded on 5/13/1999 in the Northampton County, Pennsylvania, in the Recorder of Deeds Office in Deed Book Volume 1991, page 69744, granted and conveyed unto, Joseph R. Bickerton, Sr.

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

SEIZED AND TAKEN into execution of the writ as the property of Joseph R. Bickerton, Sr.

LOUIS P. VITTI, 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

CHRISTOPHER T. SPADONI,
ESQUIRE

Solicitor to the Sheriff

Feb. 16, 23; Mar. 2

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ROBERT L. CATHER, ARTHUR J. CATHER, JR. and CHARLES H. CATHER, Plaintiffs v. ILANNUITY AND INSURANCE COMPANY, First Defendant and JOAN CORNELIUS, Individually and as Personal Representative of the Estate of CHARLES A. CORNELIUS, Second Defendant, Defendants

Third Party Beneficiary—Ambiguous Contract Language—Unjust Enrichment.

In June of 1999, Charles H. Cornelius purchased an annuity from Defendant ILAnnuity and named Charles A. Cornelius and Joan E. Cather as the beneficiaries of the annuity. Joan E. Cather was deceased at the time the annuity was purchased. Thereafter, Charles H. Cornelius died and Charles A. Cornelius received the entire amount of the annuity and his wife, Defendant Joan Cornelius, is now in possession of said funds. Joan E. Cather's children then filed this action against ILAnnuity for breach of contract and against Joan Cornelius for unjust enrichment. The Court denied ILAnnuity's motion to dismiss Plaintiffs' complaint for lack of capacity, finding that the Plaintiffs had averred facts that, if true, would be sufficient to make them third party beneficiaries of the annuity contract. The Court also denied ILAnnuity's request for a demurrer, finding that a contract provision ending a beneficiary's interest if said beneficiary did not survive the death of the annuitant by at least 6 days to be ambiguous under the facts of this case, since Joan E. Cather was deceased at the time the annuity was purchased. The Court granted Joan Cornelius' request for a demurrer, find that her "enrichment" was not "unjust" since she did not request the benefit or mislead any other party.

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C0048-CV-2004-6761.

Order of Court denying ILAnnuity's preliminary objections, granting Joan Cornelius' preliminary objection in the form of a demurrer and permitting Plaintiffs to file an amended complaint against Joan Cornelius within 20 days of the filing of the Order.

ROBERT M. DAVISON, ESQUIRE, for Plaintiffs.

STEPHEN C. BAKER, ESQUIRE and JASON P. GOSSELIN, ESQUIRE, for Defendant ILAnnuity.

SARA J. HOGAN, Esquire, for Defendant Cornelius.

Order of Court entered December 14, 2004 by GIORDANO, J.

OPINION

This matter is before the Court on Defendants' preliminary objections to Plaintiffs' complaint.

I. Facts and Procedural History

In June of 1999, Charles H. Cornelius (hereinafter referred to as "the Annuitant") purchased an annuity from ILAnnuity and Insurance Company (hereinafter referred to as "ILAnnuity"). The agreement entered into

between said parties listed Charles A. Cornelius, the Annuitant's son, and Joan E. Cather, the Annuitant's daughter, as the beneficiaries of the annuity, each being given a 50% interest. At the time the annuity was purchased, Joan E. Cather was already deceased.

On September 12, 2002, the Annuitant died. Charles A. Cornelius then received from ILAnnuity the entire amount of the annuity, which had a value of \$262,236.82. Thereafter, Charles A. Cornelius died. His wife, Joan Cornelius, is presently in possession of the funds paid to her deceased husband by ILAnnuity.

Plaintiffs are the natural children of Joan E. Cather. After the death of the Annuitant, Plaintiffs made a claim to ILAnnuity for one-half of the value of the annuity, but ILAnnuity declined payment. Thereafter, Plaintiffs filed a two-count complaint against ILAnnuity and Joan Cornelius. Count I asserts a breach of contract claim against ILAnnuity. Count II asserts an unjust enrichment claim against Joan Cornelius. Both Defendants have filed preliminary objections to Plaintiffs' complaint.

II. Defendants' Preliminary Objections

Both Defendants argue that Plaintiffs lack capacity to sue. Additionally, both Defendants have filed a preliminary objection in the nature of a demurrer. ILAnnuity seeks a demurrer based upon certain language contained within the agreement entered into by it and the Annuitant. Joan Cornelius seeks a demurrer to the unjust enrichment count of Plaintiffs' complaint. All three preliminary objections seek to dismiss Plaintiffs' complaint.

A. Standard

A demurrer can only be sustained where the complaint is clearly insufficient to establish the pleader's right to relief. ... For the purpose of testing the legal sufficiency of the challenged pleading a preliminary objection in the nature of a demurrer admits as true all well-pleaded material, relevant facts ... and every inference fairly deducible from those facts. ... The pleader's conclusions or averments of law are not considered to be admitted as true by a demurrer. ...

Since the sustaining of a demurrer results in a denial of the pleader's claim or a dismissal of his suit, a preliminary objection in the nature of a demurrer should be sustained only in cases that clearly and without doubt fail to state a claim for which relief may be granted. ... If the facts as pleaded state a claim for which relief may be granted *under any theory of law* then there is sufficient doubt to require the preliminary objection in the nature of a demurrer to be rejected.

McClellan v. Health Maintenance Organization of Pa., 413 Pa. Super. 128, 134-35, 604 A.2d 1053, 1056 (1992) (emphasis in original) (citations omit-

ted). Additionally, since sustaining Defendants' preliminary objections based on lack of capacity would result in the dismissal of Plaintiffs' suit, we apply the same standard as in the case of a preliminary objection in the nature of a demurrer. *See Shumosky v. Lutheran Welfare Services of Northeastern Pa., Inc.*, 784 A.2d 196, 202 (Pa. Super. 2001).

B. Lack of Capacity

Defendants argue that Plaintiffs lack capacity to bring the instant suit because they are neither parties to the annuity contract, nor intended third-party beneficiaries of it. Plaintiffs do not argue that they are parties to the annuity contract, but do contend that they are third-party beneficiaries of it. At this stage of the proceedings, we agree with Plaintiffs.

[A] party becomes a third party beneficiary only where both parties to the contract express an intention to benefit the third party in the contract itself, ... *unless*, the circumstances are so compelling that recognition of the beneficiary's right is appropriate to effectuate the intention of the parties, and the performance satisfies an obligation of the promisee to pay money to the beneficiary or the circumstances indicate that the promisee intends to give the beneficiary the benefit of the promised performance.

Scarpitti v. Weborg, 530 Pa. 366, 372-73, 609 A.2d 147, 150-51 (1992) (emphasis in original) (citations omitted). In this case, Plaintiffs have alleged in their complaint that the Annuitant's intention was to benefit both sides of his family equally. This is an averment of fact and, at this stage of the proceedings, we must accept it as true. We must also accept as true every inference fairly deducible from this fact. We consider it a fair inference that the Annuitant communicated this intent to ILAnnuity when he purchased the annuity in question and that, by designating Joan E. Cather as a beneficiary in the agreement, both parties to the annuity contract intended to benefit the Plaintiffs. Moreover, even if it was not the intent of both parties to benefit the Plaintiffs, the exception recognized in *Scarpitti* may be applicable in this case. Accordingly, we deny Defendants' preliminary objection.

C. ILAnnuity's Request for a Demurrer

ILAnnuity contends that even if Plaintiffs do have capacity to bring this action, their claim against it should nonetheless be dismissed because, as a matter of law, Plaintiffs are not entitled to any recovery under the annuity contract. The contract provision in question reads:

If a Beneficiary does not survive the death that caused the payment of the Death Benefit by at least 6 days, the Beneficiary's interest in this Annuity Certificate ends at the time of his or her death. We will pay any benefits as if the Beneficiary had died before the Annuitant.

...

If more than one Beneficiary is named, each Beneficiary will share equally in any benefit or rights granted by this Annuity Certificate

ILAnnuity contends that this provision is clear and unambiguous. It contends that, since Joan E. Cather did not survive the Annuitant by at least 6 days, her benefit ended at the time of her death. Therefore, Plaintiffs are not entitled to any benefit as her issue. We do not agree.

In cases of a written contract, the intent of the parties is the writing itself. If left undefined, the words of a contract are to be given their ordinary meaning. ... When the terms of a contract are clear and unambiguous, the intent of the parties is to be ascertained from the document itself. ... When, however, an ambiguity exists, parol evidence is admissible to explain or clarify or resolve the ambiguity, irrespective of whether the ambiguity is patent, created by the language of the instrument, or latent, created by extrinsic or collateral circumstances. ... A contract is ambiguous if it is reasonably susceptible of different constructions and capable of being understood in more than one sense. ... While unambiguous contracts are interpreted by the court as a matter of law, ambiguous writings are interpreted by the finder of fact.

Kripp v. Kripp, 578 Pa. 82, 849 A.2d 1159, 1163 (2004) (citations omitted). Thus, “[i]n Pennsylvania, in the area of contract construction, the parties’ contracting intent is paramount. ... When a contract is ambiguous, it is parol evidence that reveals the parties’ intent.” *Id.*, 849 A.2d at 1165 (citation omitted).

We conclude that, under the circumstances involved in this case, the provision in question is ambiguous. The provision provides that a beneficiary’s interest ends at the time of his or her death. Were we to conduct a literal application of the provision in this case, we would be forced to conclude that Joan E. Cather’s interest ended before it even began. The intent of the parties is our paramount concern. In this case, that intent cannot be determined by looking at just the writing. The writing is ambiguous and as such, its interpretation must be left for the finder of fact. Accordingly, we deny ILAnnuity’s preliminary objection.

D. Joan Cornelius’ Request for a Demurrer

Joan Cornelius argues that Plaintiffs’ unjust enrichment claim against her must fail because Plaintiffs did not, themselves, confer a benefit upon her. Plaintiffs respond that, “by not asserting their right to the funds and having that assertion honored, until this lawsuit, they have conferred a benefit on Cornelius in that she has funds which belong to the Plaintiffs under a proper interpretation of the annuity.” Plaintiffs’ Brief at 7. We disagree with Plaintiffs.

A quasi-contract imposes a duty, not as a result of any agreement, whether express or implied, but in spite of the ab-

sence of an agreement, when one party receives unjust enrichment at the expense of another. In determining if the doctrine applies, we focus not on the intention of the parties, but rather on whether the defendant has been unjustly enriched. The elements of unjust enrichment are benefits conferred on defendant by plaintiff, appreciation of such benefits by defendant, and acceptance and retention of such benefits under such circumstances that it would be inequitable for defendant to retain the benefit without payment of value. The most significant element of the doctrine is whether the enrichment of the defendant is unjust; the doctrine does not apply simply because the defendant may have benefited [sic] as a result of the actions of the plaintiff. Where unjust enrichment is found, the law implies a quasi-contract which requires the defendant to pay to plaintiff the value of the benefit conferred.

In other words, the defendant makes restitution to the plaintiff in *quantum meruit*. *Temple University Hospital, Inc. v. Healthcare Management Alternatives, Inc.*, 832 A.2d 501, 507 (Pa. Super. 2003). In the present case, we are unpersuaded by Plaintiffs' argument that they conferred a benefit upon Joan Cornelius. Moreover, we find that, under the circumstances of this case, the "enrichment" of Joan Cornelius was not "unjust." As our Supreme Court stated in *D.A. Hill Co. v. Clevetrust Realty Investors*, 524 Pa. 425, 573 A.2d 1005 (1990), "a third party is not *unjustly* enriched when it receives a benefit from a contract between two other parties where the party benefitted has not requested the benefit or misled the other parties." *Id.* at 434, 573 A.2d at 1010 (emphasis in original). Plaintiffs do not aver in their complaint any allegation that either Joan Cornelius, or her deceased husband, requested payment of the portion of the annuity presently in dispute, nor do they aver that said parties misled ILAnnuity in any manner. Thus, we cannot conclude that Joan Cornelius was unjustly enriched. Accordingly, we grant Joan Cornelius' preliminary objection, though Plaintiffs are permitted to amend their complaint if they believe the facts involved in this case would support a different cause of action against Joan Cornelius.

WHEREFORE, we enter the following order:

ORDER

AND NOW this 14th day of December, 2004, Defendants' preliminary objection based on lack of capacity is denied. ILAnnuity's preliminary objection in the form of a demurrer is denied.

Joan Cornelius' preliminary objection in the form of a demurrer is granted. Plaintiffs shall have 20 days from the filing of this Order in which to amend their complaint stating a cause of action against Joan Cornelius should they desire to do so.

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MARCH 2006 COURT CALENDAR

MON	TUE	WED	THU	FRI
		1 DRS	2 Juvenile DRS	3 Misc. Hearings
6 Juvenile Non-Jury	7 Non-Jury	8 Non-Jury	9 Juvenile Arrestment Non-Jury	10 Misc. Hearings
13 Juvenile Criminal	14 Criminal	15 Criminal	16 Juvenile Criminal	17 Misc. Hearings
20 Juvenile Status	21	22 Civil Call ARD/ Summaries	23 Juvenile Arrestment	24 Misc. Hearings
27 Juvenile Civil	28 Civil	29 Civil	30 Juvenile Civil	31 Misc. Hearings O.C. Audit