

# Northampton County Reporter

(USPS 395-280)

VOL. LIV

EASTON, PA April 20, 2006

NO. 68

**Edward Ferraro, Plaintiff v. Debra A. Bell; Penn Jersey Advance, Inc.;  
The Express-Times; Easton Publishing Company  
and Kurt Bresswein, Defendants**

## CONTENTS

Associates .....	9	Legal Assistant .....	39
Bar News .....	3	Legal Notices .....	7
Court Calendar—May .....	41	Notice of Incorporation .....	7
Estate Notices .....	4	Sheriff's Sales .....	9

- INSERT:** Blue: 1. Malpractice Avoidance Seminar “Malpractice Avoidance Claims—The Good, The Bad and The Ugly”  
2. “IRS Circular 230 for Business, Family and Real Estate Lawyers: How it Affects Your Advice to Your Clients”  
3. “Special Education Law Update”  
4. 2006 Calender of Events

### **NOTICE TO THE BAR ...**

#### **Quarterly Association Meeting**

Thursday, May 18, 2006—12:00 p.m.

Best Western (formerly Holiday Inn) Bethlehem

“Malpractice Avoidance Claims—The Good, The Bad and The Ugly”

Registration form inside.

**NORTHAMPTON COUNTY BAR ASSOCIATION  
2006 BAR ASSOCIATION OFFICERS**

Richard P. Kovacs ..... President  
Joel H. Ziev ..... President-elect  
Michael C. Deschler ..... Vice President  
Joseph A. Corpora, III ..... Treasurer  
Jacqueline M. Taschner ..... Secretary  
Karl F. Longenbach ..... Past President

**BOARD OF GOVERNORS**

Steven N. Goudsouzian  
Abraham P. Kassis  
Alyssa A. Lopiano-Reilly  
Samuel P. Murray  
Daniel M. O'Donnell  
Victor E. Scomillio  
Christopher M. Shipman

**ZONE II DELEGATES**

Barbara L. Hollenbach  
Karl F. Longenbach  
Nicholas Noel, III  
Joel M. Scheer  
Michael P. Shay  
Ronald W. Shipman

*Northampton County Reporter*

**Attorney Referral & Information Service**

**155 South Ninth Street, Easton, PA 18042-4399**

**Phone (610) 258-6333 Fax (610) 258-8715**

***E-mail: ncb@norcobar.org***

**PBA (800) 932-0311—PBI (800) 932-4637**

**BAR ASSOCIATION STAFF**

Mary Beth Leeson ..... Executive Director  
Stephanie Pasquel ..... Accounting  
Heather Rizzotto-Stefanik ..... Legal Journal  
Gloria A. Robison ..... Attorney Referral  
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**

**INCLUDED IN THIS ISSUE:**

- **Registration forms for NCBA Lunch Lectures:**

“IRS Circular 230 for Business, Family and Real Estate Lawyers: How it Affects Your Advice to Your Clients”—Wednesday, May 10, 2006.

“Special Education Law Update”—Thursday, May 11, 2006

- **Quarterly Association Meeting and Malpractice Avoidance Seminar**—“Malpractice Avoidance Claims—The Good, The Bad and The Ugly” - Thursday, May 18, 2006. Registration form enclosed.
- NCBA Calendar of Events, Committee Meeting schedule and PBI programs

**2006 NCBA Bench Bar Conference**—mark your calendars for Friday, October 27 and Saturday, October 28, 2006 for the conference. The conference will be held at Mohonk Mountain House in New Paltz, New York. You can visit the website at **www.mohonk.com**. Look for registration materials in the mail in June.

**Third Rule 801 Capital Counsel Seminar at BALC— Friday, April 28, 2006**

“Qualifications for Defense Counsel in Capital Cases 3”—This is the third session of the required training of Criminal Procedure Rule 801. Program is from 9:00 a.m.-4:00 p.m. Seminar has been approved for five substantive and 1 ethics credits. Call BALC at (610) 433-6204 for additional information.

“Truth has no special time of its own. Its hour is now—always.”—Albert Schweitzer

**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****BUTZ, JEROME**, dec'd.

Late of the Township of Palmer, Northampton County, PA  
 Executor: Donald C. Butz, 380 E. Dannersville Rd., Bath, PA 18014

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

**HAPPEL, VERNON F.**, dec'd.

Late of the Township of Palmer, Northampton County, PA  
 Co-Executors: David A. Happel and Wayne F. Happel c/o Ellen S. Kingsley, Esquire, 162 South Union Street, Easton, PA 18042

Attorney: Ellen S. Kingsley, Esquire, 162 South Union Street, Easton, PA 18042

**HARTMAN, HANNAH C. a/k/a HANNAH C. MOSER**, dec'd.

Late of the Township of Palmer, Northampton County, PA  
 Executrix: Wilma Fatzinger c/o Craig A. Dally, Esquire, Pierce & Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

Attorneys: Craig A. Dally, Esquire, Pierce & Dally, LLP, 124

Belvidere Street, Nazareth, PA 18064

**HELMS, SAMUEL L. a/k/a SAMUEL HELMS**, dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Co-Executors: David L. Helms, Michael L. Helms and Deborah E. Helms c/o Alfred S. Pierce, Esquire, I.D. No. 21445, Pierce & Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

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

**WHITE, HERBERT W. a/k/a HERBERT W. WHITE, SR.**, dec'd.

Late of Upper Nazareth Township, Northampton County, PA

Executor: Earl White, 408 Parkland Drive, Wind Gap, PA 18091

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

**SECOND PUBLICATION****AKBAR, CHRISTINE RILEY**, dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Administratrix: Arlene S. Riley c/o Frank J. Danyi, Jr., Esquire, Maloney, Danyi, Sletvold & O'Donnell, 901 West Lehigh Street, Bethlehem, PA 18018

Attorneys: Frank J. Danyi, Jr., Esquire, Maloney, Danyi, Sletvold & O'Donnell, 901

West Lehigh Street, Bethlehem, PA 18018

**BAHNCK, NORMAN**, dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Norman Bahnck, Jr. c/o William W. Matz, Jr., Esquire, 211 W. Broad Street, Bethlehem, PA 18018-5517

Attorney: William W. Matz, Jr., Esquire, 211 W. Broad Street, Bethlehem, PA 18018-5517

**BENAVIDES, ROSLENA a/k/a ROSLENA A. BENAVIDES**, dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Patrick Benavides c/o Wendy A. Nicolosi, Esquire, Broughal & DeVito, L.L.P., 38 West Market Street, Bethlehem, PA 18018

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

**BROWN, VIRGINIA C.**, dec'd.

Late of Northampton County, PA

Executrix: Linda L. Peifer, 146 Lake Paupack Road, Greentown, PA 18426

Attorney: John F. Spall, Esquire, HCR 6, Box 6025, Hawley, PA 18428-9051

**FRENCH, JULIA J.**, dec'd.

Late of the Township of Palmer, Northampton County, PA

Executor: Hilliard D. French, Jr. c/o Frank S. Poswistilo, Esquire, 26 North Third Street, Easton, PA 18042

Attorney: Frank S. Poswistilo, Esquire, 26 North Third Street, Easton, PA 18042

**HANN, ELIZABETH**, dec'd.

Late of the Township of Palmer, Northampton County, PA  
Executrix: Bonnie Lee Pullo 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

**MILISITS, KEITH W.**, dec'd.

Late of Nazareth, Northampton County, PA

Co-Executrices: Ms. Jean Sanchez, P.O. Box 182, Stockertown, PA 18083 and Mrs. Maryann Spirk, 1941 Pine Court, Hellertown, PA 18055

**OFCHUS, MARY M.**, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Co-Executors: Mary Ann Brunovsky, Patricia O. Pavelko and Frances J. O'Malia 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

**RUTT, RUTH E.**, dec'd.

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

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

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

**SCAROLA, EMMA J.,** dec'd.

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

Executrix: Diane Marie Scarola c/o Frank J. Danyi, Jr., Esquire, Maloney, Danyi, Sletvold & O'Donnell, 901 West Lehigh Street, Bethlehem, PA 18018

Attorneys: Frank J. Danyi, Jr., Esquire, Maloney, Danyi, Sletvold & O'Donnell, 901 West Lehigh Street, Bethlehem, PA 18018

**SKELLY, JOHN B., JR.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA

Administratrix: Lorraine M. Skelly, 416 Thomas Street, Bethlehem, PA 18015

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

**WOJTAS, BETTY E.,** dec'd.

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

Administratrix: Linda M. Tuerff c/o Michael E. Riskin, Esquire, Riskin and Riskin, 18 E. Market St., P.O. Box 1446, Bethlehem, PA 18016-1446

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

**THIRD PUBLICATION****ANDREOLI, WINIFRED K.,** dec'd.

Late of Bethlehem Township, Northampton County, PA

Executor: Dominic Andreoli 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

**COUGHLIN, A. MARGUERITE,** dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executor: James B. Coughlin c/o Theresa Hogan, Esquire, Attorney-at-Law, 340 Spring Garden Street, Easton, PA 18042

Attorney: Theresa Hogan, Esquire, Attorney-at-Law, 340 Spring Garden Street, Easton, PA 18042

**FAUST, MILTON H.,** dec'd.

Late of Forks Township, Northampton County, PA

Executor: Milton L. Faust c/o Ralph J. Bellafatto, Esquire, 4480 William Penn Highway, Easton, PA 18042

Attorney: Ralph J. Bellafatto, Esquire, 4480 William Penn Highway, Easton, PA 18042

**FRY, MARGARET A.,** dec'd.

Late of Upper Nazareth Township, Northampton County, PA

Executor: Walter C. Fry, Jr., 204 Belvidere Street, Nazareth, PA 18064

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

**HANDELONG, SHIRLEY D.,** dec'd.

Late of the Borough of Bangor, Northampton County, PA

Executrix: Patricia Ann Snoddy 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

**PAWLOSKI, GENEVIEVE**, dec'd.  
Late of Northampton County, PA

Administratrix: Sandy Dota c/o Stephen M. Mowrey, Esquire, 4501 Bath Pike, Bethlehem, PA 18017

Attorney: Stephen M. Mowrey, Esquire, 4501 Bath Pike, Bethlehem, PA 18017

**RILEY, ELIZABETH H.**, dec'd.  
Late of Upper Nazareth, Northampton County, PA

Executrix: Minnie Mae Kallaur, 5808 Eastwood Lane, Grafton, WI 53024

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

**SANTO, TERESA A.**, dec'd.  
Late of the Borough of Bath, Northampton County, PA

Executors: Richard D. Santo, 3503 Gun Club Road, Nazareth, PA 18064 and Patricia Deichman, 2720 Lafayette Avenue, Bethlehem, PA 18017

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

**SCHAFFER, THEODORE K.**, dec'd.

Late of the Township of Plainfield, Northampton County, PA  
Administratrix: Janice I. Pinterich c/o Alfred S. Pierce, Esquire, Pierce & Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

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

**STRAHLER, JANET M. a/k/a JANET MARIE STRAHLER**, dec'd.

Late of Northampton County, PA

Administrator: Mr. David Strahler c/o William K. Murphy, Esquire, Herster, Newton & Murphy, 127 N. 4th St., P.O. Box 1087, Easton, PA 18044-1087

Attorneys: William K. Murphy, Esquire, Herster, Newton & Murphy, 127 N. 4th St., P.O. Box 1087, Easton, PA 18044-1087

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

The name of the corporation is: **NORTH STREET TOWER, INC.**

The Articles of Incorporation were filed on March 22, 2006.

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

Apr. 20

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

City of Easton  
vs.

Liming

**No. C48CV20053355**

NOTICE IS HEREBY GIVEN that the above was named as defendant

in a civil action instituted by plaintiff. This is an action to recover delinquent real estate taxes for the year 2004 for the property located at 741 Northampton St., Tax Parcel L9SE1B1614. A lien in the amount of \$880.54 was filed on or about May 18, 2005 for this claim and a Writ of Scire Facias was filed.

You are hereby notified to plead to the writ in this case, on or before 20 days from the date of this publication or a Judgment will be entered.

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

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Northampton County  
Lawyer Referral Service  
155 S. Ninth St.  
Easton, PA 18042  
(610) 258-6333

PORTNOFF LAW  
ASSOCIATES, LTD.

P.O. Box 540  
Wynnewood, PA 19096-0540  
(610) 649-9550

Apr. 6, 13, 20

---

**NOTICE OF PUBLIC HEARING**

The Board of Supervisors of Allen Township, Northampton County, Pennsylvania will conduct a public hearing and consider adoption of the following proposed Ordinance at its regular meeting on May 23, 2006 at 7:00 P.M. at the Allen Township Municipal Building, 4714

Indian Trail Road, Northampton County, Pennsylvania.

The Board of Supervisors invites public comment on the proposed Ordinance, the following of which is only a summary:

An Ordinance of the Township of Allen, Northampton County, Pennsylvania, signifying the intention and desire of the Board of Supervisors of the Township of Allen, Northampton County, Pennsylvania, to organize an authority under the provisions of the Municipality Authorities Act of 1945 (the Act of May 2, 1945, P.L. 382), as amended, to be known as "First Regional Compost Authority," setting forth the form of the Articles of Incorporation; providing that the said Authority shall be for the purpose of acquiring, holding, constructing, improving, maintaining, and operating, owning or leasing, either in a capacity of lessor or lessee, land and equipment necessary for regional yard waste recycling program and the creation of a yard waste facility to provide yard waste recycling to member municipalities; joining with the Townships of Lehigh, East Allen, Bushkill and Moore, all in the County of Northampton for said purposes; appointing the first members of the Board of the Authority; authorizing other necessary actions; and repealing all inconsistent ordinances, resolutions and parts thereof.

Copies of the proposed Ordinance are available for public inspection at the following locations:

Allen Township Municipal Building, 4714 Indian Trail Road, Allen Township, Northampton County, Pennsylvania; and the Northampton County Law Library, Northampton County Government Center, 7th & Washington Streets, Easton, Pennsylvania; Ilene M. Eckhart, Allen



Township Manager, 4714 Indian Trail Road, Northampton, PA. 18067  
Apr. 20

**ASSOCIATES**

Busy Bethlehem Law Office seeking 1-2 Associates with an interest in Family Law and Real Estate Development/Municipal practice and litigation. Multi-County practice primarily in Northampton and Lehigh Counties.

Please fax resume in confidence to (610) 866-9497.

Apr. 13, 20

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

The following real estate will be sold by the Sheriff of Northampton County, Pennsylvania, on May 5, 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-2005-008175**

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

BEGINNING at a point in the Southwest corner of Jackson and Oak Streets; thence extending Southwardly along said Oak Street, 15.42 feet to a point in the middle of the partition wall of the adjoining house; thence through the middle of said partition wall Westwardly 80

feet to a point; thence Northwardly a distance of 15.42 feet to Jackson St., thence Eastwardly along said Jackson Street a distance of 80 feet to the place of beginning and being the lot on which the house is numbered 616 as more particularly shown on a plan or map of Mrs. Sikora's Estate and property recorded in the Office for the Recording of Deeds of Northampton County, at Easton, Penna. Said premises formerly known as 616 Atlantic Street, Bethlehem, Penna., known as 620 Atlantic St., Bethlehem, PA.

Tax Parcel # P6SE2D-10-1.

TITLE TO SAID PREMISES IS VESTED IN Herminio Vazquez by Deed from Alexander Richard Slafkosky, Executor of the Estate of Veronica Agnes Slafkosky, deceased dated 8/9/1999 and recorded 8/10/1999 in Record Book Volume 1999-1, Page 121156.

BEING KNOWN AS 620 ATLANTIC STREET, BETHLEHEM, PENNSYLVANIA.

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

SEIZED AND TAKEN into execution of the writ as the property of Herminio Vazquez.

MARTHA E. VON ROSENSTIEL,  
ESQUIRE

**No. 2  
BY VIRTUE OF A CERTAIN WRIT OF EXECUTION  
CV-2005-008914**

ALL THAT CERTAIN parcel, piece or lot of land, together with the two and one-half story brick, slate-roofed dwelling thereon erected; known as 909 North Linden Street (formerly 409 North Linden Street), situate on the west side of Linden Street between Goepf and Ettwein Streets,

in the City of Bethlehem (formerly Borough of Bethlehem), County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the west side of Linden Street, seventy-five (75) feet south from the southern line of Ettwein Street in line of the party wall between the house hereby conveyed and the house immediately adjoining on the north; THENCE extending westwardly through the middle of said party wall along property now or late of John Mitchell, at right angles to Linden Street, one hundred twenty (120) feet to property now or late of Wilson E. Renner; THENCE along the same, southwardly, twenty-five (25) feet to property now or late of Daniel Whytock; THENCE along the same, eastwardly, one hundred twenty (120) feet to Linden Street; THENCE along the same, northwardly, twenty-five (25) feet to the place of beginning.

ALSO KNOWN AS NORTHAMPTON COUNTY PARCEL IDENTIFIER: MAP: P6NE1B, BLOCK: 5, LOT: 18.

BEING KNOWN AS: 909 LINDEN STREET, BETHLEHEM, PA 18018.

PROPERTY ID NO.: P6NE1B-5-18

TITLE TO SAID PREMISES IS VESTED IN Linda Ann Farrell by Deed from Charles E. Mallon, Jr. and Lois R. Mallon, husband and wife dated 12/21/00 recorded 12/27/00 in Deed Book 2000-1 Page 172746.

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

SEIZED AND TAKEN into execution of the writ as the property of Linda Ann Farrell.

MARK J. UDREN, ESQUIRE

**No. 5**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-008866**

All that certain piece or parcel of land situate in the Township of Washington, in the County of Northampton and State of Pennsylvania, more particularly bounded and described as follows, to wit:

Beginning at the southeast corner of the intersection of two fifty (50) feet wide streets which cross each other nearly at right angles, one of which streets runs in an easterly and westerly direction and the other in a northerly and southerly direction; thence in an easterly and westerly direction north forty-one degrees east forty feet to a corner in Lot No. 40; thence along Lot No. 40 south fifty degrees east one hundred thirty feet to an alley sixteen and one-half feet wide; thence along the northerly side of said alley south forty-one degrees west forty feet to the easterly side of said alley south forty-one degrees west forty feet to the easterly side of the said fifty feet wide street which runs in a northerly and southerly direction; thence along the same north fifty degrees west one hundred thirty feet to the place of beginning. Being Lot No. 39 on the plan of lots made by Stephen A. Heller for Solomon Flory and dated September, 1882.

TAX PARCEL # D9SW1-5-8.

BEING KNOWN AS 1500 Pine Street, Pen Argyl, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Kevin Ray Loren, Sr.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 6**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-008966**

All that certain unit, designated a unit twenty-six (26) being a unit in the Greenleaf West Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Condominium of Greenleaf West Condominium dated August 13, 1986 and recorded on August 14, 1986 in Northampton County Miscellaneous Book Volume 314, page 773, and as amended by the Amendment to the Declaration of Greenleaf West Condominium dated October 6, 1986 and recorded in Northampton County Miscellaneous Book Volume 315 page 1141, and as further described in the Plans of the Greenleaf West Condominium dated February 19, 1986 and recorded on August 15, 1986 in Northampton County Condo Book Volume 86, page 255, and as amended by Plans of Greenleaf West Condominiums dated September 30, 1986, and recorded on October 8, 1986 in the Northampton County Condo Book Volume 86, page 316, and as amended by Plans of Greenleaf West Condominiums dated November 21, 1986, and recorded November 24, 1986 in the Northampton County Condo Book Volume 86, page 359.

Together with a three and one eighth (3 1/8) percent undivided interest of, in and to the common elements as set forth in the aforesaid Declaration of Condominium and Amendment thereto.

Being known as 1201 Butztown Road, Unit No. twenty-six (26) Bethlehem, Pennsylvania 18017.

TAX PARCEL # M7SW4-22-16-26.

SEIZED AND TAKEN into execution of the writ as the property of Rosemary M. Lafollette.

JOSEPH A. GOLDBECK, JR.,  
 ESQUIRE

**No. 7**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-006219**

All that certain messuage, tenement and piece of ground situate on the easterly side of Bushkill Drive, Legislative 48044, in the Township of Moore and partially in the Township of Bushkill, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a P-K nail set in the centerline of Bushkill Drive, L.R. 48044, said P-K nail being located north 20 degrees 20 minutes 57 seconds west, 221.69 feet from another P-K nail in the centerline intersection of Bushkill Drive and East Best Road, Township Road 573 as shown on a subdivision plan prepared by Richard Rutt for Paul and Ruth Valo:

Thence extending in and along Bushkill Drive the following four (4) courses and distances:

(1) North 12 degrees 12 minutes West, 194.2 feet to a point;

(2) North 5 degrees 52 minutes 43 seconds east, 180 feet to a point;

(3) North 0 degrees 33 minutes 17 seconds west, 362.3 feet to a point;

(4) North 19 degrees 25 minutes 23 seconds east, 259.69 feet to a point;

Thence extending along the property of American Inter. Reality as recorded in Deed Book Volume 439

on Page 408 the following (2) courses and distance:

(1) South 65 degrees 30 minutes east, 139.47 feet to a point;

(2) North 22 degrees 45 minutes east, 820.88 feet to a point;

Thence extending along the easterly property line of Mary Ann Imbody as recorded in Deed Book 194 on page 427, the following two (2) courses and distance:

(1) North 36 degrees 00 minutes east, 247.5 feet to a point;

(2) North 27 degrees 15 minutes east, 280.5 feet to a point;

Thence extending along the property line of Lee Graver the following two (2) courses and distances:

(1) South 85 degrees 00 minutes east, 412.5 feet to a point;

(2) South 20 degrees 30 minutes west, 2305.24 feet to an iron pin.

Thence extending along the northerly property line of aforesaid subdivision of Valo, north 79 degrees 33 minutes 59 seconds west, 388.57 feet to the place of beginning.

Containing 1,184,473.67 square feet, 27.19 acres.

Being known and designated as 770 Bushkill Drive.

TAX PARCEL #s G6-17-21-0406, G6-17-21-0520.

BEING KNOWN AS 770 Bushkill Drive, Bath, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Jamie R. Fox.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 8**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-007329**

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

situate in the Township of Palmer, Northampton County, Pennsylvania, designated as Lot No. 212 on the Plan of Penn's Grant, Phase 4, as said Plan is recorded in the Recorder of Deeds Office in and for Northampton County, Pennsylvania in Map Book Volume 1997-5, Pages 75-78, being more fully bounded and described as follows, to wit:

BEGINNING at a point on the northern right-of-way line of Freedom Terrace (50 feet wide), said point being the southeast corner of Lot 213 and the southwest corner of the herein-described Lot 212; thence along the eastern boundary line of Lot 213, North 9° 33' 47" West, a distance of 117.63 feet to a point; thence along the southwestern boundary line of Lot 72, South 84° 12' 12" East, a distance of 40.09 feet to a point; thence along the western boundary line of Lot 211, South 9° 33' 47" East, a distance of 107.01 feet to a point; thence along the northern right-of-way line of Freedom Terrace (50 feet wide), South 80° 26' 13" West, a distance of 38.65 feet to the place of BEGINNING.

CONTAINING in area 4,342 square feet, or 0.0997 acre.

BEING HOUSE NO. 51 Freedom Terrace, Easton, PA 18045.

BEING Northampton County Uniform Identifier No. K9-31-27.

UNDER AND SUBJECT, nevertheless, and together with, a certain ten-foot wide access easement as more fully described and illustrated in a certain Declaration and Imposition of Cross-Easement document recorded in the Recorder's Office in Volume 1997-1, Page 041330.

UNDER AND SUBJECT to covenants, easements, and restrictions

as shown on the aforementioned Plan of Penn's Grant and otherwise of record.

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

SEIZED AND TAKEN into execution of the writ as the property of Gail S. Smith.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

---

**No. 9**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-000243**

ALL THAT CERTAIN Unit designated as Number 51, being a Unit in Washington Avenue West: Townhouses, a condominium, located in the fourteenth Ward of the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, as designated in that certain Washington Avenue West: Townhouse Declaration of Condominium under the Unit Property Act, dated August 4, 1980, and recorded August 27, 1980 in the Office of the Recorder of Deeds in and for the County of Northampton in Misc. Book Volume 276, Page 534 et seq. (Hereinafter called the "Declaration of Condominium"), that certain Washington Avenue West: Townhouses Code of Regulations dated August 4, 1980 and recorded as aforesaid in Misc. Book Volume 276, Page 576 et seq. (Hereinafter called the "Code of Regulations"), and that certain Washington Avenue West: Townhouses Declaration Plan dated \_\_\_\_\_, an recorded as aforesaid, in Plan Book Volume 61, Page 7, et seq. (Hereinafter called the "Declaration Plan").

Together with all right, title and interest, being an undivided

4.2654% interest of, in and to the Common Elements as more fully set forth in the aforesaid Declaration of Condominium and Declaration Plan.

TAX PARCEL # N6SE1D-13-1Q.

Being known as 51 WASHINGTON AVENUE, Bethlehem PA, 18018.

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

SEIZED AND TAKEN into execution of the writ as the property of Barry J. Szmodis.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

---

**No. 10**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-008612**

ALL THAT CERTAIN messuage, tenement, lot or piece of ground on the north side of Ferry Street, commonly known as 733 Ferry Street, in the City of Easton, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the north side of Ferry Street, said point being 60.0 feet easterly from the northeast intersection of South Eighth Street and Ferry Street; thence northerly along land now or late of Carmen Farino due north, at right angles to said Ferry Street, 90.1 feet to a point; thence easterly along remaining land of Leone Bros., due east parallel to said Ferry Street, 22.0 feet to a point; thence southerly along other land of said Leone Bros. due south, at right angles to said Ferry Street; 90.1 feet to a point in the northern property line of said Ferry Street; thence westerly along the northern property line of said Ferry Street due West, 22.0 feet to a point, the place of Beginning.

BOUNDED on the north and east by land of Leone Bros., on the south by Ferry Street, and on the west by land now or late of Carmen Farino.

IT BEING THE SAME PREMISES which John E. Leone, single by Deed dated August 15, 1985 and recorded in the Office for the Recording of Deeds in and for Northampton County at Easton, Pennsylvania in Deed Vol. 686, Page 600 granted and conveyed unto Michiko Okaya, her heirs and assigns, Grantor herein.

TITLE TO SAID PREMISES IS VESTED IN Lee M. Walcott, Jr., by Deed from Michiko Okaya, dated 8-30-02, recorded 9-5-02, in Deed Book 2002-1, page 234925.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SE1B-28-27A.

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

SEIZED AND TAKEN into execution of the writ as the property of Lee M. Walcott, Jr.

DANIEL G. SCHMIEG, ESQUIRE

**No. 11**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-006614**

ALL THAT CERTAIN two and one-half (2 1/2) story brick messuage and lot of land (known as No. 1423 Butler Street) situated at the Northeast corner of Raspberry and Butler Streets, in the City of Easton, County of Northampton, State of Pennsylvania, containing in front on said Butler Street Eighteen (18') feet and extending in depth of the same width Northwardly One Hundred (100') feet, more or less, to a Ten (10') feet wide private alley.

BOUNDED ON THE North by said private alley, on the East by

property now or late of Sylvester M. Kichline, on the South by said Butler Street, and on the West by said Raspberry Street.

Parcel ID: L9SW3B-3-10.

Being known as: 1423 Butler Street, Easton, PA 18042.

SEIZED AND TAKEN into execution of the writ as the property of Jean M. Spadoni a/k/a Jean Marie Spadoni.

TERRENCE J. McCABE,  
ESQUIRE

**No. 12**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2001-006924**

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

BEGINNING at a point, the Northwesterly corner of the intersection of Northwood Avenue and Easton-Tatamy Road; thence by a line along the Northerly side of Northwood Avenue 16.50 feet Northerly of the centerline thereof, North 83 degrees 51 minutes West 220.65 feet to a point; thence by the Easterly line of Lot #47 as shown on the Plan of Lots late of David M. Huhn, recorded in Map Book 9 page 64, North 08 degrees 09 minutes West 59.45 feet to a point; thence through Lot #2 according to the aforesaid Plan, North 81 degrees 51 minutes East 215.0 feet to a point on the Westerly side of the Easton-Tatamy Road, said point being distant 365.61 feet by the said side of Easton-Tatamy Road on the course South 09 degrees 01 minute East from the Southwesterly corner of Hillcrest Avenue and Tatamy Road; thence by the Westerly side

of Tatamy Road, 20.00 feet West-erly of the centerline thereof, South 09 degrees 01 minute East 114.39 feet to a point; the place of begin-ning.

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

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

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

BEING KNOWN AS 1200 Tatamy Road, Easton, Pennsylvania.

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

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

KRISTINE M. ANTHOU, ESQUIRE

**No. 13**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-008423**

Parcel A

All that certain parcel of land situ-ate in the Township of Upper Mount Bethel, County of Northampton, Commonwealth of Pennsylvania, bounded and described in accor-dance with a map and survey

thereof dated June, 1955, made by Michael A. Policelli, Registered En-gineer, as follows:

Beginning at point in the public road leading from Portland to Totts Gap, said point being 27.35 feet West of a 12 inch hickory; thence crossing said road and along land reputedly of Elizabeth Ann Band-holtz South 35° 40' West 32.05 feet to a point; thence along the same South 68° 29' West 305.8 feet to a point in other land of Val Hochrein, Grantor hereof, of which this was a part; thence along land of said Val Hochrein South 64° 11' East 317 feet to a point, said point being 1 foot Southeast of 10 inch hickory; thence along the same North 25° 49' East 250 feet to a point in the middle of the above mentioned public road leading from Portland to Totts Gap, said point being 48.55 feet North of an 11 inch elm and 20.2 feet West of an 8 inch pin oak; thence along the middle of said pubic road North 64° 11' West 100.0 feet to the place of Beginning, said place of Begin-ning being also a corner of land of Albert R. Kearney, Jr. Containing 1.15 acres.

Parcel B

All that certain parcel of land situ-ate in the Township of Upper Mount Bethel, County of Northampton, Commonwealth of Pennsylvania, bounded and described in accor-dance with a survey and map thereof dated February, 1958, made by Theodore K. Rothermund, Reg-istered Engineer, as follows:

Beginning at an iron pin in the public road which runs from Port-land to Totts Gap, which pin is the northeast corner of the lands of Grantor; thence along the said pub-lic road North 64° 11' West a dis-tance of 74.25 feet to an iron pin;

thence South 25° 49' West a distance of 100.45 feet to an iron pin; thence North 69° 29' East a distance of 99.06 feet to an iron pin; thence North 37° 19' East a distance of 29.40 feet to the iron pin in the said public road, the place of Beginning. Containing 4,504.63 square feet or 0.103 acre.

Less and excepting thereout and therefrom the following:

Parcel C

All that certain parcel of land situate in the Township of Upper Mount Bethel, County of Northampton, Commonwealth of Pennsylvania, bounded and described in accordance with survey and map thereof dated February 1958, made by Theodore K. Rothermund, Registered Engineer, as follows:

Beginning at an iron pin in the boundary line between the grantor and the lands of Val and Charlotte Hochrein which is North 64° 11' East, a distance of 174.25 feet from an iron pin at the southeast corner of lands of the grantor; thence from this point of beginning North 64° 11' West along the boundary of the lands of the said Hochreins, a distance of 142.75 feet to an iron pin in the boundary of the lands of the grantee; thence North 69° 29' East a distance of 206.74 feet to an iron pin; thence South 25° 49' West a distance of 149.55 feet to the iron pin at the place of Beginning. Containing 10,674.13 square feet or 0.245 acre.

PARCEL NO. B11-15-14.

Being known as: 625 Turkeyridge Road, Mount Bethel, PA 18343.

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

SEIZED AND TAKEN into execution of the writ as the property of Norma I. Mercado a/k/a Norma Colon Mercado.

TERRENCE J. McCABE, ES-  
QUIRE

**No. 14**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-008763**

ALL of that certain messuage, tenement and lot of piece of ground situate on the east side of Wyandotte Street, in the City of Bethlehem, County of Northampton and State or Pennsylvania known and designated as No. 711 Wyandotte Street, bounded and described as follows, to wit:

BEGINNING at a point in the eastern line of Wyandotte Street said point being the northeastern intersection of Wyandotte Street and Laury Street; THENCE northwardly along Wyandotte Street, North five degrees thirty minutes West (5° 30'), thirty-one and ninety-six one-hundredths feet (31.96) feet to a point; THENCE by a line passing in and through the partition wall of a twin brick dwelling know as No. 709 Wyandotte and 711 Wyandotte Street, North eighty-four degrees thirty minutes (84° 30') East fifty feet and ninety-five one-hundredths (50.95) feet to a point; THENCE North sixty degrees and twelve minutes (60° 12') East; fifty-two and fifty one-hundredths (52.50) feet to a point; THENCE South five degrees thirty minutes (5° 30') East eighteen and fifty-five one-hundredths (18.55), feet to a point in the northern line of Laury Street; THENCE along the same South sixty-five degrees and fifty-five minutes (65° 55') West one hundred four



and eighty one-hundredths (104.80) feet to the place of beginning.

Vesting Information:

Vested by: Quit Claim Deed dated 12/2/03, given by Jose Sostre and Rita Sostre, Husband and Wife, by their agent, Milagro Jerez to Frank Ortiz recorded 12/10/03 in Book: 2003-1 Page 510968.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: P6SW3B-9-17.

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

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

DANIEL G. SCHMIEG, ESQUIRE

**No. 15**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-006641**

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

BEGINNING at a corner of land on the North side of George Street, being also corner of land sold to Russell J. Futchko and wife on January 30, 1973; thence along the same and directly through the center partition of double house known as 629-631 George Street North 15-3/4 degrees West one hundred thirty-seven (137 feet) feet to a point and corner of land late of L.F. Walters; thence along the same South 75 Degrees West nineteen and three quarters (19.75 feet) feet to a point and corner of land late of John and Raymond Palmer; thence along the said land South 15-3/4 Degrees East one hundred thirty-seven (137 feet) feet to a point on the North

side of George Street; thence along the North side of George Street North 75 Degrees East nineteen and three-quarters (19.75 feet) feet to the POINT OR PLACE OF BEGINNING. Property conveyed is known as No. 631 George Street.

TITLE TO SAID PREMISES IS VESTED IN Kenneth Campbell, by Deed from Philip N. Niceforo, single, dated 12-10-01, recorded 12-18-01 in Deed Book 2001-1, page 273863.

Premises being: 631 GEORGE STREET, PEN ARGYL, PA 18072.

Tax Parcel No. E8NE1C-6-19.

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

SEIZED AND TAKEN into execution of the writ as the property of Kenneth Campbell.

DANIEL G. SCHMIEG, ESQUIRE

**No. 16**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-007330**

All that certain message or one-half of twin dwelling and lot or piece of ground, hereditaments and appurtenances, situate on the South side of West Fairview Street, in the 8th Ward of the City of Bethlehem, County of Northampton and State of Pennsylvania, known as 35 West Fairview Street, according to present City numbering, bounded and described as follows:

Beginning at a stake set in the southerly side of West Fairview Street, South 80 degrees East, 76.68 feet from the southeast corner of Guetter Street and West Fairview Street; thence by the said southerly side of West Fairview Street, South 80 degrees East a distance of 115.15 feet to a nail set in

a concrete step, thence in and through the party wall dividing 35 West Fairview Street herein described and 33 West Fairview Street immediately adjacent to the East and through land now or late of Alice C. Raidline, South 10 degrees West, a distance of 100 feet to a stake; thence by land now or late of James T. Borhek, North 80 degrees West, a distance of 15.15 feet to a stake; thence by land now or late of John E. Haines Estate, North 10 degrees East, a distance of 100 feet to the place of beginning.

PROPERTY ADDRESS: 35 W. FAIRVIEW STREET, BETHLEHEM, PA 18018.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: N6SE4D-28-3.

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 Candy Fenner-Sigley and Charles R. Sigley.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 17**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-007060**

ALL THOSE CERTAIN two (2) messuages, tenements, tracts, parcels or pieces of land situate in the Borough of Bangor, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

TRACT NO. 1

BEGINNING at a point on the east side of South Third Street in the said Borough, corner of land now or late of George J. Rusweiler; thence along the south side of said land South seventy-nine and one-

quarter (79 1/4) degrees East one hundred thirty (130) feet to a point in the west side of Center Alley; thence along the west side of said Center Alley South five and one-half (5 1/2) degrees West thirty (30) feet to a point in the west side of said alley; corner of other land now or late of Howell Rowland; thence along said other land North seventy-nine and one-quarter (79 1/4) degrees West one hundred thirty (130) feet to a point in the east side of the aforesaid South Third Street; thence along the east side of said South Third Street North five and one-half (5 1/2) degrees East thirty (30) feet to the place of beginning.

TRACT NO. 2

BEGINNING at a point on the east side of South Third Street in said Borough, corner of land now or late of Dr. D. H. Keller; thence along said land now or late of Keller South seventy-nine and one-quarter (79 1/4) degrees East sixty (60) feet, more or less, to a stake; thence North eighty-one and three-quarters (81 3/4) degrees West sixty (60) feet, more or less, to the east side of the aforesaid South Third Street; thence along the east side of said South Third Street North five and one-half (5 1/2) degrees West two (2) feet to other land now or late of Dr. D. H. Keller, the place of beginning.

IT BEING THE SAME PREMISES which Mary Louise Russo, by her Indenture bearing date the thirtieth day of May, A.D. 1996, for the consideration therein mentioned, granted and conveyed unto the said Raymond C. Hoffman, Jr., and Violet A. Hoffman, his wife, parties hereto, and to their heirs and assigns, forever; as in and by the said in part recited Indenture recorded in the Office for the Recording of

Deeds in and for Northampton County, at Easton, Pennsylvania, in Record Book Volume 1996-1, Page 55704, etc., relation being thereunto had, more fully and at large appears.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: MAP: E9NE2D, BLOCK: 4, LOT: 19.

Being known as 25 South Third Street, Bangor, Pennsylvania, 18013.

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

SEIZED AND TAKEN into execution of the writ as the property of Raymond C. Hoffman, Jr. and Violet A. Hoffman.

ALFRED S. PIERCE, ESQUIRE

**No. 18**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-008421**

ALL THAT Southern half of a two (2) story frame building situate on the West side of Washington Street, in the Borough of Walnutport, County of Northampton and Commonwealth of Pennsylvania, known as 626 Washington Street, now known as 618 Washington Street, bounded and described as follows, to wit:

BEGINNING at an iron pin on the West side of Washington Street on the curblin; thence along the West side of Washington Street, South sixteen (16) degrees eighteen (18) minutes East, thirty-nine and one-tenth (39.1') feet to the edge of the curblin; thence along the lands now or late of Mary E. Snyder, South seventy-two (72) degrees fifty-two (52) minutes West, twenty-nine and seventy-eight hundredths (29.78')

feet to a point; thence along the same, South fifty-nine (59) degrees West, one hundred twenty-nine and eighty-two hundredths (129.82') feet to an iron pin; thence along now or formerly the Central Railroad of New Jersey, North thirteen (13) degrees forty-five (45) minutes West, seventy-five and seventeen hundredths (75.17') feet to an iron pin; thence along 626 Washington Street, now or late of Helen Jones and through the middle of a party wall, North seventy-four (74) degrees thirty-one (31) minutes East, one hundred forty-nine (149') feet to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Tricia A. Seiler by Deed from Joseph L. Sider and Carol J. Sider, h/w, Thomas D. Sider and Linda L. Sider, h/w; Cassandra M. (Sider) Handwork; Timothy J. Sider and Betsy L. Strecker, h/w, dated 8/14/2001 and recorded 8/15/2001 in Record Book Volume 2001-1 Page 163337.

BEING KNOWN AS 618 Washington Street, Walnutport, Pennsylvania.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: J2SW1C-9-6A.

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

SEIZED AND TAKEN into execution of the writ as the property of Tricia A. Seiler.

DANIEL G. SCHMIEG, ESQUIRE

**No. 19**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-008916**

ALL THAT CERTAIN messuage, tenement, tract, piece or parcel of land situate in the Borough of

Roseto, County of Northampton and Commonwealth of Pennsylvania, bounded and described in accordance with a survey made of the premises by John J. Stofflet, Surveyor, for Carmela P. Finelli, as follows, to wit:

BEGINNING at a point or stake on other land of the said Carmela R. Finelli, on the West side of a road, now called McKinley Street; thence along the North side of said Carmela R. Finelli's land North 76 3/4 degrees West 100 4/12 feet to a stake; thence by the same North 01 degrees West 30 feet to a post; thence by land of Joseph Ruggiero North 88 degrees East 68 8/12 feet to a post; thence by the same South 77 1/2 degrees East 42 9/12 feet to a post on the West side of McKinley Street; thence along the West side of said street South 10 degrees West 37 1/2 feet, more or less, to a stake, the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Aromito S. Jimenez by Deed from Bryan D. Stout and Monica L. Mucklin dated 03/22/2004 and recorded 03/29/2004 in Deed Book 2004-1, Page 113636.

Premises being: 158 CHESTNUT STREET, ROSETO, PA 18013.

Tax Parcel No. D9SE1D-14-6.

THEREON BEING ERECTED a two story brick dwelling w/attached one-car garage and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of Aromito S. Jimenez.

DANIEL G. SCHMIEG, ESQUIRE

**No. 21**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-008788**

ALL THOSE CERTAIN lots or piece of land lying, situate, and being in the Township of Palmer,

County of Northampton, Commonwealth of Pennsylvania, and being more particularly described as Lots Nos. 188, 189, 190 and 191, in the Riverview Gardens Tract, so called, said lots having a combined width of eighty-five (85 feet) feet, and extending of the same width one hundred fifteen (115 feet) feet in depth as shown and laid out on a certain Plan of Lots made and surveyed by the Paul G. Breinig Company, Civil Engineer, of Allentown, Pennsylvania. Said Plan being on record in the Office of the Recorder of Deeds in and for the County of Northampton, State of Pennsylvania, in Map Book 9, page 50.

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

TITLE TO SAID PREMISES IS VESTED IN James D. Rush, Jr., and Luci A. Rush, by Deed from Joseph L. Lackey and Dawn Lackey, husband and wife, dated 10-30-92, recorded 11-02-92, in Deed Book 878, page 528.

Premises being: 505 BERKS STREET, EASTON, PA 18045.

Tax Parcel No. M9SW1-9-6.

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

SEIZED AND TAKEN into execution of the writ as the property of James D. Rush, Jr. and Luci A. Rush.

DANIEL G. SCHMIEG, ESQUIRE

**No. 22**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-008888**

All that certain tract or parcel of land situated on the west side of Cambria Street in Freemansburg, County of Northampton, Common-

wealth of Pennsylvania, according to a plan entitled "Final Plan for Henry Glass & Sons, Inc." prepared by Robert L. Ference, registered surveyor, Bethlehem, Pennsylvania and recorded in the Office of the Recorder of Deeds in Easton, Pennsylvania in Map Book 52, Page 29, being known as 204 Cambria Street (lot 2) bounded and described as follows, to wit:

Beginning at an iron pipe on the west side of Cambria street, said pipe being North 05 degrees 00 minutes 00 seconds East 50.00 feet from the northwest intersection of Cambria Street and Lincoln Avenue, said pipe being the true point or place of beginning; thence through the middle of a party wall between the premises herein described and the premises immediately on the south, North 85 degrees 00 minutes 00 seconds West 74.00 feet to an iron pipe; thence along land now or late of Henry Glass & Sons, Inc., North 05 degrees 00 minutes 00 seconds East 50.00 feet to an iron pipe; thence along land now or late of Barry L. Platt South 85 degrees 00 minutes 00 seconds East 74.00 feet to an iron pipe on the west side of Cambria Street; thence along the west side of Cambria Street South 05 degrees 00 minutes 00 seconds West 50.00 feet to an iron pipe on the west side of Cambria Street, said pipe being the true point or place of beginning.

Containing 3,700 Square Feet.

Under and Subject to restrictions and easements of record.

Having thereon erected a dwelling known as: 204 Cambria Street, Freemansburg, Pennsylvania 18017.

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

ing with brick and aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Nevin Hamm, Jr.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 23**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-009018**

All that certain messuage, tenement and tract of land situate along the westerly side of legislative Route Number 48061, leading from Northampton to Pennsville, in the Village of Kreidersville, Township of Allen, County of Northampton, Commonwealth of Pennsylvania, being shown as Lot Number One (1) on a subdivision plan for Edith E. Santee last dated December 23, 1985, and recorded in the Office of the Recorder of Deeds in and for the County of Northampton, at Easton, Pennsylvania, in Map Book, Page, being more fully bounded and described as follows, to wit:

Beginning at a railroad spike set in legislative Route 48061 (33 feet wide) in a Southerly line of lands now or formerly of Ray C. Stettler; thence (1) in and along said Legislative Route South 2 degrees 25' 00" East 63.30 feet to a railroad spike set; thence (2) along the northerly line of lands now or formerly of Anna Smith, North 87 degrees 37' 00" West (passing through an iron pipe set at 17.52 feet) a total distance of 171.40 feet to an iron pipe set; thence (3) along the westerly line of the same South 2 degrees 25' 00" East 43.60 feet to a concrete fence post; thence (4) along the northerly line of land now or formerly of Stanley W. Becker, North 77 degrees 27' 00" West 235.18 feet

to an iron pipe set; thence (5) along the easterly line of Lot Number Two (2) of the above referenced subdivision North 13 degrees 49' 30" East 142.92 feet to an iron pipe found; thence (6) along the southerly line of lands now or formerly of Roy Koehler and lands now or formerly of Richard S. Ott, South 81 degrees 00' 00" East 191.00 feet to an iron pipe set; thence (7) along the westerly line of lands of the first mentioned Ray C. Stettler, South 2 degrees 25' 00" East 53.30 feet to an iron pipe set; thence (8) along the southerly line of the same south 87 degrees 37' 00" East (passing through an iron pipe set at 153.88 feet) a total distance of 171.40 feet to the place of beginning.

Containing an area of 42,605.6 square feet.

Subject to that portion of the right-of-way of Legislative Route Number 48061 being 17.5 feet in width, which lies across the front of the above described.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: K4SW1-2-7.

BEING KNOWN AS 3903 Kreidersville Road, Northampton, Pennsylvania.

THEREON BEING ERRECTED a two and one-half story single brick dwelling.

SEIZED AND TAKEN into execution of the writ as the property of Tammie Hein.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

---

**No. 24**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-008889**

All those two (2) certain lots or pieces of land situate in the Borough of West Easton, County of Northampton, and Commonwealth

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

Beginning at a point in the south line of Fourth Street distant 40 feet west of the west line of Keystone Avenue; thence extending westwardly in and along the south line of Fourth Street a distance of 40 feet; thence extending southwardly of said width between parallel lines drawn at right angles to the south line of Fourth Street a distance of 120 feet to a 15 feet wide alley.

Being lots 156 and 157 according to a plan of Valentine Mutchler's Land as recorded in the Office for the Recording of Deeds in and for Northampton County in Map Book 2, page 125.

Bounded on the north by Fourth Street, on the east by lot 155 according to said plan, on the south by said alley and on the west by Lot 158 according to said plan.

TAX PARCEL # M9NW2A-15-4.

BEING KNOWN AS 406 Fourth Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of John W. Allen, Sr.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

---

**No. 26**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-004957**

ALL THAT CERTAIN parcel, tract or piece of land situate in the City of Bethlehem as indicated on Plan of Penn Square, Bethlehem, Northampton County, Pennsylvania, being Lot No. 1 as described in Plan Book 87, Page 363, as recorded in the Office of the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN John Herrmann and Mary M. Herrmann, husband and wife by reason of the following:

BEING THE SAME premises which Millstone Residential Sales, Inc., a Pennsylvania Corporation by Deed dated 9/16/1988 and recorded on 9/19/1988 in the County of Northampton in Deed Book Volume 755 Page 789, conveyed unto John Herrmann and Mary M. Herrmann, husband and wife and Hans Herrmann and Gisela Herrmann, husband and wife.

AND BEING THE SAME premises which John Herrmann and Mary M. Herrmann, husband and wife and Hans Herrmann and Gisela Herrmann, husband and wife by Deed dated 10/19/1993 and recorded on 11/24/1993 in the County of Northampton in Record Book Volume 1993-3 Page 003555, conveyed unto John Herrmann and Mary M. Herrmann, husband and wife.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: N7NW2-1-19.

BEING KNOWN AS 2002 LT 1 Hopewell Road a/k/a 2004 Hopewell Road, Bethlehem, Pennsylvania.

THEREON BEING ERECTED a single brick split-level dwelling w/ one-car garage and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of John N. Herrmann, Mary M. Herrmann, Hans Herrmann, and Gisela Herrmann.

DANIEL G. SCHMIEG, ESQUIRE

**No. 27**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2004-007683**

ALL THAT CERTAIN piece, parcel or tract of land situate in the

Township of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, known as Lot 28 of Carter Road Estates II, recorded in the Office for the Recording of Deeds in and for Northampton County at Easton, Pennsylvania, in Map Book 84 page 75, and being further bounded and described as follows to wit:

BEGINNING at an iron pin in the northerly right of way line of Carter Road (60 feet wide right of way) said pin being the southeast corner of the land of Lot 27 of Carter Road Estates II; thence along the easterly line of Lot 27 North 03 degrees 00 minutes 00 seconds West 114.09 feet to an iron pin; thence along the southerly line of Lot 12 North 87 degrees 00 minutes 00 seconds East 89.83 feet to an iron pin; thence along the westerly line of Lot 29 South 03 degrees 00 minutes 00 seconds East 114.09 feet to an iron pin in the northerly right of way line of Carter Road; thence along the northerly right of way line of Carter Road South 87 degrees 00 minutes 00 seconds West 89.83 feet to an iron pin the place of beginning.

BEING Parcel Number M7SE4-38-12.

BEING KNOWN AS 4003 Carter Republic Road a/k/a Lot 28 Carter Road Estates II, Bethlehem, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Rory P. Stevenson and Kelly S. Stevenson a/k/a Kelly S. Harris-Stevenson.

BARBARA A. FEIN, ESQUIRE

**No. 28  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-008266**

ALL THAT CERTAIN lot or piece of ground situated on the East side of North Tenth Street, in the City of Easton, Northampton County, Pennsylvania, bounded and described as follows:

CONTAINING in front forty (40') feet and extending of the same width Eastwardly one hundred forty-five and one-tenth (145-1/10') feet, more or less, bounded and described particularly as follows:

BEGINNING at a point in the building line of North Tenth Street, one hundred (100') feet South of the intersection of the building line of North Tenth Street and the building line of Wood Street; thence Eastwardly one hundred forty-five and one-tenth (145-1/10') feet, more or less, to the building line of Poplar Street as formerly laid out on the City Map; thence Southwardly along the building line of the last mentioned street forty (40') feet; thence Westwardly one hundred forty-five and one-tenth (145-1/10') feet, more or less, to the building line of North Tenth Street; thence Northwardly along the building line of North Tenth Street forty (40') feet to the place of beginning.

BOUNDED on the North by property now or late of the Estate of Samuel Drake, on the East by Poplar Street, on the South by property now or late of the Estate of Samuel Drake; and on the West by Tenth Street.

KNOWN as no. 107 N. Tenth Street.

Tax Parcel #L9SE1A-12-7.

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 Janice Ross.

BARBARA A. FEIN, ESQUIRE

**No. 29  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-009174**

All that certain messuage, tenement and lot or piece of ground situate near the Village of Pennsville, Lehigh Township, Northampton County, Pennsylvania, and on the easterly side of a bituminous surfaced highway known as Legislative Route #48061 leading northwardly, etc, from Pennsville to Danielsville, and being otherwise bounded and described as follows, to wit:

Beginning at a point on the easterly side of the said Highway #48061, which said point is distant eastwardly sixteen and 5/10 (16.5) feet from approximately the middle of the fifteen (15) feet wide bituminous portion of said highway; thence from said beginning point and parallel to the said middle of the highway, North four (4) degrees thirty-five (35) minutes West, eighty (80) feet to a point; thence by land now or late of Llewellyn G. Heiney, et ux, and of which said land the herein described was formerly a part as hereinafter recited, the following courses and distances: North eighty-five (85) degrees twenty-five (25) minutes East, through an iron pin on line at eight and twenty-seven hundredths (8.27) feet, eighty (80) feet to an iron pin; South four (4) degrees thirty-five (35) minutes East, eighty (80) feet to an iron pin and South eighty-five (85) degrees twenty-five (25) minutes West, through an iron pin on line at seventy-one and seventy-three hundredths (71.73) feet eighty (80) feet to the place of Beginning.



Containing 6,400 square feet as surveyed April 7, 1948, by M.E. Boyer, R.P.E. #1455.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: MAP J4, BLOCK 6, LOT 14.

This conveyance acknowledges the right of the Pennsylvania State Department of Highways to occupy such land of the herein-described as might be included in the prescribed width of right-of-way for said Legislative Route #48061 as presently located.

Being the same premises which Louisa M. Oswald, married, by Indenture dated 10-18-93 and recorded 10-22-93 in the Office of the Recorder of Deeds in and for the County of Northampton in Record Book 913 Page 324, granted and conveyed unto Martin P. Oswald and Louisa M. Oswald, husband and wife.

Parcel ID: J4-6-14.

Being known as: 512 Walnut Street, Northampton, PA 18067.

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 Martin Oswald and Louisa Oswald.

TERRENCE J. McCABE,  
ESQUIRE

---

**No. 30**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-001289**

ALL THAT CERTAIN tract or piece of land, with double frame house thereon situated on the east side of Cattell Street continues, in the Third Ward of the City of Easton, Northampton County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point at the intersection of the east side of said Cattell Street and land now or late of Mrs. Cressman; thence east along said Mrs. Cressman's land at right angles to Porter Street eighty-seven and one-half feet (87 1/2'), more or less, to a point in the northeast corner of land now or late of Mrs. Cressman; thence north in a line with Porter Street along lands now or late of William E. Speer forty feet (40') to a point in line now or late of F. J. Kressley's land; thence along said F. J. Kressley's land west eighty-seven and one-half feet (87 1/2'), more or less, to the said Cattell Street; thence south in a line with Porter Street along said Cattell Street forty feet (40') to the place of Beginning.

IT BEING THE SAME premises which Barry R. Stocker and Effie J. Stocker, husband and wife, by deed dated 4/30/82 and recorded 5/3/82 in the Office of the Recorder of Deeds in and for Northampton County, in Deed Book 637 at Page 260, granted and conveyed unto Daniel B. Altieri and Margaret Altieri, husband and wife.

BEING Parcel No. L9NE2B-1-18.

BEING KNOWN AS 813-15 Cattell Street, Easton, Pennsylvania.

SEIZED AND TAKEN into execution of the writ as the property of Margaret Altieri and Daniel B. Altieri.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

---

**No. 31**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-003652**

ALL THOSE CERTAIN lots of land, with improvements thereon erected, Situate in the Township of Palmer, County of Northampton and Commonwealth of PA being known

and designated as Lots Nos. 1023, 1024, 1025 and 1026 as shown on the Map or Plan of Jones Terrace, entered in the Office of the Recording of Deeds of Northampton County in Map Book 8 page 15, bounded and described as follows, to wit:

BEGINNING at a point on the North side of Vermont Street, said point being distant 240 feet from the northwest corner of Vermont Street and Blair Street, thence along the North side of Vermont Street and Heil Avenue 115.69 feet to a point, the Northeast corner of Vermont Street 105.79 feet to a point; the Northeast corner of Vermont Street and Heil Avenue; thence along the East side of Heil Avenue 115.69 feet to a point the Southeast corner of Heil Avenue and a 20 foot wide alley; thence along the South side of a 20 foot wide alley 69.98 feet to a point; thence along Lot No. 1027, 110 feet to the place of beginning.

CONTAINING 9,668 square feet, more or less.

BEING Tax Map No. M8NE3-2-2B.

BEING the same premises which Leroy G. Walters, by Deed dated August 13, 1999 and recorded in the Office of the Recorder of Deeds of Northampton County on August 23, 1999, in Deed Book 1999-1, Page 128622, granted and conveyed unto Daniel T. Costanzo and Carol A. Costanzo.

BEING KNOWN AS 3419 Vermont Street, Easton, Pennsylvania.

THEREON BEING ERECTED a two story single stone dwelling w/ attached one-car garage and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Daniel T. Costanzo and Carol A. Costanzo.

KRISTINE M. ANTHOU, ESQUIRE

**No. 32**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-002292**

ALL THAT CERTAIN lot or piece of land situated in the Borough of Pen Argyl, County of Northampton and State of Pennsylvania, marked on plan of lots made for W.S. Hazen & Sons by H.C. Dilliard, Engineer, as Lot No. 9, situate on the west side of Moyer Avenue.

BEGINNING at a stake at the intersection of No. 10, thence in a northerly direction fifty (50) feet to a stake at intersection of Lot No. 8, thence west one hundred and one feet and seven inches (101 ft. 7 in.) to a stake at intersection of Lot No. 4, thence South along line of Lot No. 4 fifty (50) feet to a stake, thence along line of Lot No. 10 One Hundred One feet and seven inches (101 ft. 7 in.) to the place of BEGINNING.

HAVING erected thereon a dwelling being known as 615 Moyer Avenue, Pen Argyl, PA 18072.

TAX PARCEL NUMBER: D8SE3D-5-2.

BEING the same premises which Harry E. Newton and Jean M. Newton, his wife, by Deed dated September 3, 1980 and recorded September 16, 1980 in the Recorder of Deed's Office of Northampton County in Deed Book Volume 618, Page 729, granted and conveyed unto Larry W. Peters and Janice Peters, his wife.

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

SEIZED AND TAKEN into execution of the writ as the property of Larry W. Peters and Janice Peters.

KRISTINE M. ANTHOU, ESQUIRE

**No. 33**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-006874**

ALL that certain property situated in the City of Easton, in the County of Northampton, Commonwealth of Pennsylvania, and being described as follows:

L9SE4D-11-1-1A102. Being more fully described in a Deed dated 1/30/1992 and recorded 1/31/1992, among the land records of the County and State set forth above, in Deed Volume 853, Page 496.

HAVING erected thereon a dwelling known as 102 Canal Park, Easton, PA 18042.

PARCEL No. L9SE4D-11-1-1B8 (Garage Unit); L9SE4D-11-1-1A102 (Residential Condo).

BEING the same premises which Valley Federal Savings and Loan Association, by Deed dated 01/30/1992 and recorded 01/31/1992 in the Recorder's Office of Northampton County, Pennsylvania, Deed Book Volume 853, Page 496, granted and conveyed unto Thomas Obszanski, single.

SEIZED AND TAKEN into execution of the writ as the property of Thomas Obszanski.

LOUIS P. VITTI, ESQUIRE

**No. 35**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-009230**

ALL THAT CERTAIN piece, parcel or tract of land situate in the Township of Williams, County of Northampton, and Commonwealth of Pennsylvania, shown as Lot 1 on the Final Subdivision Plan of Monroe & Florence Brotzman as recorded in Plan Book 1998-5, page 366 in the Office of the Recorder of

Deeds for Northampton County at Easton, Pennsylvania and being further bounded and described as follows, to wit:

BEGINNING at a concrete monument on the easterly right-of-way line of Gaffney Hill Road (SR 2010) on line of lands now or late of Harry T. Purcell; thence along said easterly right-of-way line of Gaffney Hill Road (SR 2010) the following two courses and distances: 1.) North 09 degrees 20 minutes 33 seconds East 48.95 feet to a concrete monument; thence 2.) North 04 degrees 04 minutes 12 seconds East 100.99 feet to a point on the southerly right-of-way line of Cider Press Road (SR 2010); thence along said southerly right-of-way line of Cedar Press Road (SR 2010) the following two courses and distances: 1.) along the arc of a curve deflecting to the right having a radius of 25.00 feet and central angle of 81 degrees 25 minutes 20 seconds for an arc length of 35.53 (chord: North 44 degrees 46 minutes 52 seconds East 32.61 feet) to a point; thence 2.) North 85 degrees 29 minutes 32 seconds East 112.07 feet to a concrete monument on the westerly right-of-way line of a Proposed Private Road (50 feet wide); thence along said westerly right-of-way line of a Proposed Private Road (50 feet wide) the following four courses and distances: 1.) along the arc of a curve deflecting to the right having a radius of 20.00 feet and central angle of 90 degrees 00 minutes 00 seconds for an arc length of 31.42 (chord: South 49 degrees 30 minutes 28 seconds East 28.28 feet) to a point; thence 2.) South 04 degrees 30 minutes 28 seconds East 236.18 feet to a point; thence 3.) along the arc of a curve deflecting to the right having

a radius of 150.00 feet and central angle of 28 degrees 57 minutes 18 seconds for an arc length of 75.80 (chord: South 09 degrees 58 minutes 11 seconds West 75.00 feet) to a point; thence, 4.) along the arc of a curve deflecting to the left having a radius of 50.00 feet and central angle of 52 degrees 22 minutes 30 seconds for an arc length of 45.71 (chord: South 01 degrees 44 minutes 24 seconds East 44.13 feet) to a point at a corner of Lot 4 of lands of Monroe & Florence Brotzman; thence along said lands of Lot 4 of Monroe & Florence Brotzman South 62 degrees 04 minutes 20 seconds West 66.15 feet to a point at a corner of lands now or late of Harry T. Purcell; thence along said lands now or late of Harry T. Purcell the following two courses and distances: 1.) North 00 degrees 57 minutes 06 seconds East 196.83 feet to a concrete monument; thence 2.) North 78 degrees 31 minutes 40 seconds West 125.58 feet to a concrete monument, the place of BEGINNING.

SUBJECT TO any and all drainage and utility easements, as shown on the final recorded plan.

TOGETHER WITH and UNDER AND SUBJECT to the rights, privileges, and obligations pursuant to the Declaration of Covenants, Restrictions, and Easements dated November 20, 1998, and recorded in Recorder of Deeds Book 1998-1, page 163459, and the Second Declaration of Covenants and Restrictions dated November 29, 2001 and recorded in Recorder of Deeds Book 2001-1, page 268183.

BEING THE SAME PREMISES WHICH Florence M. Brotzman, widow, by Deed dated December 3, 1998, recorded December 3,

1998, in Deed Volume 1998-1, page 168023, in the Office of the Recorder of Deeds in and for Northampton County, Pennsylvania, granted and conveyed unto David M. Brotzman and Kelly A. Marazas, as joint tenants with the right of survivorship and not as tenants in common, Grantors herein who have since intermarried.

Premises being: 125 GAFFNEY HILL ROAD, EASTON, PA 18042.

Tax Parcel No. N9-9-1.

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

SEIZED AND TAKEN into execution of the writ as the property of David M. Brotzman.

DANIEL G. SCHMIEG, ESQUIRE

**No. 38**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2004-008194**

ALL THAT CERTAIN piece or parcel of land situate in the Township of Bethlehem, County of Northampton and State of Pennsylvania, designated as Lot No. 38 according to Plan of William Penn Manor as prepared by Leonard M. Frailvillig Company, Engineers, Bethlehem, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point the common corner of Lot No. 38 and Lot No. 39; thence extending North eighty-two degrees ten minutes thirty seconds East (N. 82 degrees 10 minutes 30 seconds E.) a distance of one hundred ninety and forty-three one-hundredths (190.43') feet to a point; thence extending along line of Lots Nos. 33 and 34 South twenty-three degrees fifty-one minutes thirty seconds West (S. 23 degrees 51 minutes 30 seconds W.)

a distance of ninety-four and eleven one-hundredths (94.11') feet to a point, a common corner of Lots Nos. 38 and 37; thence South eighty-two degrees ten minutes thirty seconds West (S. 82 degrees 10 minutes 30 seconds W.) a distance of one hundred forty and eighty-seven one-hundredths (140.87") feet to the easterly side of Sunset Drive; thence along the same North seven degrees forty-nine minutes thirty seconds West (N. 7 degrees 49 minutes 30 seconds W.) a distance of eighty (80") feet to a point the place of beginning.

BEING Lot No. 38 according to William Penn Maonor. Also known as 2924 Sunset Drive.

Northampton County Tax Parcel number: M7SW3-12-13.

THEREON BEING ERECTED a split-level dwelling w/two-car garage, aluminum siding and fieldstone exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Denise Coccia.

DAWN M. SCHMIDT, ESQUIRE

**No. 39**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-004136**

ALL THAT CERTAIN message or tenement and lot or piece of land situate on the East side of New Street in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, known as 648 North New Street according to present city numbering bounded and described as follows, to wit:

BEGINNING at a point on the east side of New Street thirty feet distant from the south east corner of New Street and North Street, and extending along said New Street southwardly a distance of twenty-

six (26) feet, thence extending of that width westward between parallel lines seventy-five (75) feet ten (10) inches.

Northampton County Tax Parcel number: P6NE1D 4 9.

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

SEIZED AND TAKEN into execution of the writ as the property of William Parkinson and Rosalie J. Parkinson.

DAWN M. SCHMIDT, ESQUIRE

**No. 40**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-002654**

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

BEGINNING at a point distant nineteen and fourteen one-hundredths (19.14') feet south from the southwest corner of Sixth and Atlantic Streets, thence extending southwardly along the west side of Atlantic Street, a distance of fifteen and thirty-three one-hundredths (15.33') feet to a point; thence extending westwardly of that same width between parallel lines at right angles to said Atlantic Street and through the center of the brick partition or party walls between this property and property No. 602 Atlantic Street adjoining on the north and property No. 606 Atlantic Street adjoining on the south, a distance of eighty (80') feet to lands now or late of Mariantolik Vertrofski.

BOUNDED on the north by No. 602 Atlantic Street on the east by Atlantic Street, on the south by No.

606 Atlantic Street and on the west by lands now late of Mariantolik Vetrofski.

HAVING ERECTED THEREON a dwelling known and numbered as 604 Atlantic Street, Bethlehem, Northampton County, Pennsylvania according to the present system of City numbering.

Northampton County Tax Parcel number: P6SE2D-6-15.

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

SEIZED AND TAKEN into execution of the writ as the property of Carlos M. Rodriguez and Iris Y. Rodriguez.

DAWN M. SCHMIDT, ESQUIRE

**No. 43**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2004-005458**

ALL THAT CERTAIN lot or piece of land with the messuage or tenement No. 230 Crest Avenue thereon erected, situate, lying and being in the 16th Ward of the City of Bethlehem, County of Northampton and State of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point in the southerly line of Crest Avenue distant one hundred (100) feet west from the westerly line of Signet Street, said point being also on the extension of a line through the middle of the party or partition wall dividing the house erected on the premises from the one adjoining it immediately on the east; thence extending westwardly along said southerly line of Crest Avenue a distance of forty (40) feet to a point; thence extending southwardly by that width of forty (40) feet between parallel lines at right angles to Crest

Avenue, the easterly line thereof passing partly through the middle of the partition wall aforesaid, a distance of one hundred twenty (120) feet to the northerly line of a certain unnamed twenty (20) feet wide alley.

Northampton County Tax Parcel number: P7SW3C 3 9.

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

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

DAWN M. SCHMIDT, ESQUIRE

**No. 51**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-008015**

ALL THAT CERTAIN lot of land, with the improvements thereon erected, known as 1705 Northampton Street, situated in the Borough of Wilson, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the northerly side of Nazareth Road, on line of lot of Hilda Hochman; thence by the said side of the said road, now Northampton Street, North 88 degrees 48 minutes West, 20.25 feet to a point; thence by other land now or late of the grantors, and passing through the middle partition wall of the double frame house known as #1705-1707 Northampton Street, North 1 degree 02 minutes East, 107.87 feet to a point; thence by lot about to be conveyed by the grantors to James B. Acton, parallel to Church Street and 32.0 feet distant therefrom in a southerly direction, South 88 degrees 58 minutes East 20.25 feet to a point; thence by lot of Hilda Hochman and

running along the western side of the residence now standing thereon, South 1 degree 02 minutes West, 107.93 feet to a point, the place of beginning.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SW2A-21-3.

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

SEIZED AND TAKEN into execution of the writ as the property of David A. Bechtold.

PINA S. WERTZBERGER,  
ESQUIRE

**No. 52**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-009139**

Tract No. 1:

All that certain message and lot of land situate at No. 714 Pearl Street, City of Easton, County of Northampton, and State of Pennsylvania, bounded and described as follows, to wit:

Beginning at a point on the south side of Pearl Street, two hundred eight (208') feet eastwardly from the southeast corner of Eighth and Pearl Streets, thence by property now or late of Harry Moore, south five degrees thirty minutes west, eighty-five feet (S 5° 30' W 85'); thence by property now or late of Josephine-Francisco, south eighty-four degrees thirty minutes east, seventeen feet five and three-eighths inches (S 84° 30' E, 17' 5 3/8"); thence by property now or late of Clarence Merwarth and Anna Marie Merwarth, his wife, north five degrees thirty minutes east (N 5° 30' E), passing through the middle of the partition of the double brick house, eighty-five (85') feet to the

south side of Pearl Street; thence along the south sided of Pearl Street, north eighty-four degrees and thirty minutes west, seventeen feet five and three eighths inches (N 84° 30' W, 17' 5 3/8"), to the place of beginning.

Tract No. 2

All that certain lot or piece of land situate in the City of Easton, County of Northampton, State of Pennsylvania, bounded and described as follows, to wit:

Beginning at a point, a corner of a stone wall, the foundation to the Butz, formerly the Herster barn, said point being in a line which forms an angle of 61 degrees from the north building line of Church Street, at a distance of one hundred twenty-nine and forty-three hundredths (129.43) feet east of the east building line of Eighth Street, first mentioned point being distant from the vertex of said angle one hundred twenty-seven and one-quarter (127 1/4) feet northeastwardly; thence approximately at right angles to the first mentioned line and along the face of said foundation twenty-one and forty-five hundredths (21.45) feet as called for by old deed; thence northeastwardly along line described in old deed thirty-five (35) feet to the corner of a stone wall, line of land now or late of Howard Keiper and other, fifty-six and three-tenths (56.3) feet to a fence line of ...; thence southwardly and parallel with Eighth Street along said line fifteen and five-tenths (15.5) feet; thence eastwardly twenty-one and one-half (21 1/2) feet, to the place of beginning.

Known as Northampton County Tax Parcel # L9E1B-8-7 and PIN # 5067-09-4903-2025.

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

SEIZED AND TAKEN into execution of the writ as the property of Maria DeMaio.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 53**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-009015**

ALL THAT CERTAIN message or tenement and parcel or piece of land situate in the Borough of Northampton, County of Northampton, and State of Pennsylvania, known as Lot No. 70 on the Final Minor Subdivision Plan entitled 'Wynnewoode Estates, Phase II-A of Horwith Leasing Company, Inc., trading as Northampton Development Center, a Pennsylvania corporation, and recorded on May 9, 1988, with the Northampton County Recorder of Deeds Office at Easton, Pennsylvania, in Map Book Volume 88, Page 103, with the subject description prepared on December 30, 1987, by Larry S. Turoscy, P.E. No. 16705-E and R.S. No. 14112-E, bounded and described as follows, to wit:

BEGINNING at an iron pin located along the northeasterly legal right-of-way of Atlas Lane, said point on the common boundary line of Lot 69 of the same subdivision and the lands herein described; thence South 49 degrees 03 minutes 30 seconds West for a distance of 100.00 feet along the northeasterly legal right-of-way of Atlas Lane to an iron pin; thence North 40 degrees 56 minutes 30 seconds West for a distance of 120.00 feet along Lot 90 of the former Wynnewoode Estates Phase II to an iron pin;

thence North 49 degrees 03 minutes 30 seconds East for a distance of 100.00 feet along other lands owned by Horwith Leasing Company to an iron pin; thence South 40 degrees 56 minutes 30 seconds East for a distance of 120.00 feet along Lot 69 of the same subdivision to the point of BEGINNING.

CONTAINING 0.275 acres more or less.

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

SUBJECT to the following express covenant limiting the use of the property hereby granted, which shall be deemed a covenant running with the land, namely (1) no front fences; (2) no shed larger than 8 feet by 10 feet on rear right side of back yard; (3) no parking of cars without inspection and license plates; (4) no parking of trucks or commercial vehicles; and (5) no TV antennas or satellite dishes.

TITLE TO SAID PREMISES IS VESTED IN Mark K. Wetherhold and Kimberly A. Wetherhold, husband and wife, by Deed from Douglas C. Conner and Rebecca S. Conner, husband and wife, dated 01/14/2000 and recorded 03/17/2000 in Record Book 2000-1, Page 030408.

Premises being: 1402 ATLAS LANE, NORTHAMPTON, PA 18067.  
Tax Parcel No. L4-17-72.

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

SEIZED AND TAKEN into execution of the writ as the property of Kimberly A. Wetherhold a/k/a Kimberly Riss and Mark K. Wetherhold.

DANIEL G. SCHMIEG, ESQUIRE



**No. 54**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-001885**

ALL THAT CERTAIN lot, piece or parcel of ground situate, lying and being in the Borough of Bangor, County of Northampton and State of Pennsylvania, to wit:

BEGINNING at a point in the North Building line of Broadway and land of the Grantor; thence in a Northerly direction through the center line of the partition wall of a double frame dwelling a distance of 130 feet to a point in the South side of Rose Alley; thence along the South side of Rose Alley in an Easterly direction 17.5 feet to a point and land now or late of Francis Spry; thence along the same in a Southerly direction 130 feet to a point in the North side of Broadway; thence along the same in a Westerly direction 17.5 feet to the place of Beginning.

TITLE TO SAID PREMISES IS VESTED IN Joseph Michael Doonan and Jennifer Doonan, husband and wife, by Deed from Joseph Michael Doonan, a now married man, dated 4-21-04 and recorded 5-18-04 in Deed Book 2004-1, page 186271.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: E9NE1C-3-13.

BEING KNOWN AS 525 Broadway, Bangor, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Jennifer Doonan a/k/a Jennifer M. Verg a/k/a Jennifer M. Doonan and Joseph Michael Doonan a/k/a Joseph M. Doonan a/k/a Joseph M. Doonan, Jr.

DANIEL G. SCHMIEG, ESQUIRE

**No. 57**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-008711**

ALL THAT CERTAIN tract of land with a single frame dwelling located thereon, situated in the Township of Forks, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pipe, a corner of land now or formerly of the Cyrus Lawall Estate, said pipe being North 62 degrees 46 feet East, 1120.0 feet from an iron pipe lying in Hillcrest Drive and being in line of land of the City of Easton, formerly of the Lehigh Water Company (the said pipe in Hillcrest Drive being formerly the Northwest corner of land of the Porter W. Shimer Estate), a survey was run by John McNeal, 3rd, Registered Engineer, on May 27, 1950, for the following courses and distances: (1) Along land now or formerly of the Cyrus Lawall Estate, South 43 degrees 14 feet East, 91.5 feet to an iron pipe, another corner of said Lawall Estate; (2) Thence through other land of the Porter W. Shimer Estate, South 26 degrees-36 feet East, 257.2 feet to an iron pipe lying on the center line of Hillside Avenue (a 30 feet wide proposed road), (3) Thence along the centerline of said Hillside Avenue, South 38 degrees 17 feet West, 280.5 feet to an iron pipe; (4) Thence along other land of the Porter W. Shimer Estate, North 26 degrees-36 feet West, 290.0 feet to an iron pipe; (5) Thence still along land of the Porter W. Shimer Estate being the eastern side of a proposed private driveway with the right to use same with other parties North 14 degrees-34 feet West, 175.2 feet to an iron pipe lying on the South

side of Hillcrest Drive; (6) Thence North 62 degrees 46 feet East, 191.1 feet to an iron pipe, the place of beginning.

CONTAINING 2..25 acres of land.

TOGETHER with an easement or right of way for a water pipe extending over Hillside Avenue and directly south from the present pipe line on the property hereby conveyed over land for the former grantor to Shimer Avenue.

Tax Parcel #K9SE3-21-18.

TITLE TO SAID PREMISES IS VESTED IN Joseph C. Hollywood by Deed Poll from Alfred C. Diomedo, Sheriff of Northampton County dated 5/8/1992 and recorded 8/11/1992 in Deed Book 871, page 129.

BEING KNOWN AS 441 Paxinosa Road East, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Joseph C. Hollywood.

DANIEL G. SCHMIEG, ESQUIRE

**No. 59**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-008298**

ALL THAT CERTAIN house and lot of land situated in the City of Easton, Northampton County, Pennsylvania beginning at a point the Southeast corner of Paxinosa and Parker Avenues, said point being the outer corner of a stone wall, thence in an Eastwardly direction along the southern building line of Parker Avenue and the outer face of the said stone wall one hundred and eleven and six-tenths (111-6/10) feet to a point marked by an iron pin, thence in a southwardly

direction at right angles to the line of Parker Avenue and along land of John K. Detweiller eighty (80) feet to a point marked by an iron pin, thence West at right angles along other property of Lillias G. Nevin of which this is a part, one hundred and fifteen (115) feet, more or less, to the East side of Paxinosa Avenue, being the outer face of a stone wall, thence North along the said line of Paxinosa Avenue and the said wall to the point the place of beginning.

BEING the same premises which James W. Lieberman aka, James W. Liebermann by deed dated January 2, 2002 and recorded in Deed Book Volume 2002-1 page 004715 in the Recorder of Deeds Office of Northampton County, Pennsylvania, granted and conveyed unto Agnes G. Lieberman. Title thereto vested in Agnes G. Lieberman.

TITLE TO SAID PREMISES IS VESTED IN James A. Hanni and Tefta N. Douris, single, by Deed from Agnes G. Liebermann, dated 8-15-02, recorded 8-29-02, in Deed Book 2002-1, page 229416.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: K9SE3C-8-1.

BEING KNOWN AS 103 Parker Avenue, Easton, Pennsylvania.

THEREON BEING ERECTED a two story single brick dwelling w/ attached two-car garage and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of James A. Hanni and Tefta N. Douris.

DANIEL G. SCHMIEG, ESQUIRE

**No. 60**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-006722**

ALL THAT CERTAIN tract or lot of land, with improvements thereon erected, known as 379 Berwick Street, situated on the North side

of said Berwick Street, between Davis Street and Seitz Avenue in the said City of Easton, County of Northampton and State of Pennsylvania, beginning at the western line of land late of Serenus Johnson, now Vincent Stassi, thence extending northwardly along said land 125 feet to a twenty foot wide alley; thence westwardly along the south side of said alley 31 feet to a point; thence southwardly along land now or late of Robert Kay, 125 feet to Berwick Street; thence eastwardly along the north side of Berwick Street, 31 feet to the place of beginning.

BOUNDED on the east by land now or late of Vincent Stassi, known as 377 Berwick Street, on the north by said twenty foot wide alley; on the West by property now or late of Robert Kay, known as 389 Berwick Street, and on the south by Berwick Street.

TITLE TO SAID PREMISES IS VESTED IN Dennis M. Amadore, Jr. and Tina M. Amadore, husband and wife, by Deed from Linda Brinker, dated 8-31-93, recorded 10-15-93 in Deed Book 912, page 536.

Premises being: 379 WEST BERWICK STREET, EASTON, PA 18042.

Tax Parcel No. L9SE3D-20-10-0310.

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

SEIZED AND TAKEN into execution of the writ as the property of Dennis M. Amadore, Jr.

DANIEL G. SCHMIEG, ESQUIRE

**No. 61**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-008610**

ALL THAT CERTAIN messuage, tenement, tract or piece of land situ-

ate in the Township of Plainfield, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin the northern line of land of the Lehigh Navigation and Electric Company and 20 feet west, at a right angle from the center line of State Highway Route No. 115; thence along said land of the Lehigh Navigation and Electric Company south eighty four (84) degrees, eleven (11) minutes and thirty (30) seconds west 205.54 feet to an iron pin; thence along land now or late of Madison Walter Owen and Ruth Elaine Owen, his wife, of which this was a part, north nineteen (19) degrees, eight (8) minutes and thirty (30) seconds west 54.2 feet to an iron pin, thence along land of the same, north seventy (70) degrees fifty-one (51) minutes and thirty (30) seconds east 200 feet to an iron pin 20 feet west at a right angle from the center line of the aforesaid State Highway; thence parallel with and 20 feet from said center line, south nineteen (19) degrees, eight (8) minutes and thirty (30) seconds east 102.6 feet to the place of beginning.

BEING known as 5721 SULLIVAN TRAIL, NAZARETH, PA 18064.

PARCEL #H8SE1-1-4.

BEING THE SAME PREMISES which Clayton C. Biechy, Jr. by Indenture dated October 15, 1984 and recorded October 17, 1984 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 672, Page 178, granted and conveyed unto JAMES V. PACOVICH and CAROL L. PACOVICH, his wife.

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

SEIZED AND TAKEN into execution of the writ as the property of James V. Pacovich and Carol L. Pacovich.

GREGORY JAVARDIAN, ESQUIRE

**No. 63**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-009016**

ALL THAT CERTAIN lot or piece of land situate in the Township of Bushkill, County of Northampton, and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the center of Pennsylvania State Highway LR #48071 leading from Jacobsburg to Wind Gap, in line of other lands which is the subject of an Agreement of Sale under date of January 2, 1963, wherein the said Robert F. Rice and Lila J. Rice, his wife, are the sellers and David C. W. Smith and Shirley A. Smith, his wife, are the purchasers; thence along said lands, passing in a service pole at the edge of the highway South 72 degrees 03 minutes East 150 feet, to a point in line of other lands of the sellers, of which this has been a part; thence along other lands of the sellers, of which this has been a part, the two following courses and distances: South 17 degrees 57 minutes West, 100 feet; North 72 degrees 03 minutes West, 150 feet to a point in the said highway; thence in the said highway North 18 degrees 53 minutes East, a distance of 100 feet to the point and place of BEGINNING, and also described in survey dated July 16, 1969, by Robert L. Collura, Registered Surveyor, as follows:

BEGINNING at a nail in the middle of the public road, leading from Wind Gap to Jacobsburg; thence along land of David Smith,

passing a service pole at the edge of the road, South 72 degrees 23 minutes East 150.00 feet to an iron pin; thence along land of Robert Rice, Sr., of which this tract was a part, South 16 degrees no minutes West 100.00 feet to an iron pin; thence along same North 72 degrees, 23 minutes West 150.00 feet to a nail in the middle of the public road first above mentioned; thence along the middle of said road North 16 degrees no minutes East 100.00 feet to the place of BEGINNING. CONTAINING 0.344 acres.

KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER. MAP: F7 BLOCK: 18 LOT: 2A-1. ALSO KNOWN AS 1364 Jacobsburg Road, Bushkill Township, PA.

BEING KNOWN AS: 1364 JACOBSTOWN ROAD (BUSHKILL TOWNSHIP), WIND GAP, PA 18091.

PROPERTY ID NO.: F7-18-2A-1.

TITLE TO SAID PREMISES IS VESTED IN Elwood L. Petchel and Lucia Petchel, his wife by deed from Dolores L. Keller, widow dated 9/9/91 recorded 9/11/91 in Deed Book 841 Page 500.

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

SEIZED AND TAKEN into execution of the writ as the property of Elwood L. Petchel and Lucia Petchel.

DANIEL G. SCHMIEG, ESQUIRE

**No. 64**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-001886**

ALL THAT CERTAIN one and one half (1 1/2) story frame message and tenement and lot or piece of

ground known as 1939 Michael Street, in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows:

ALL THOSE CERTAIN LOTS OR PIECES of land lying and being in the City of Bethlehem, in the County of Northampton, and Commonwealth of Pennsylvania, and known on Plan of Lots of the BETHLEHEM VIEW TRACT as Lots Nos. Four Hundred (400), Four Hundred One (401), and Four Hundred Two (402), located on the West side of Michael Street, between Fairview Street and Larch Street, being bounded on the North by Lot No. Four Hundred Three (403), on the East by said Michael Street, on the South by Lot No, Three Hundred Ninety-nine (399), and on the West by Lots Nos. Three Hundred Sixty-five (365), Three Hundred Sixty-four (364) and Three Hundred Sixty-three (363).

CONTAINING in front on said Michael Street Sixty (60) feet, more or less, and in depth of equal width One Hundred Five (105) feet, more or less.

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

Said Plan of Lots is duly recorded at Easton, in the County of Northampton and Commonwealth of Pennsylvania, in the Office of the Recorder of Deeds in and for the said County of Northampton in Book of Maps No. 7, Page 31.

BEING KNOWN AS: 1939 MICHAEL STREET, BETHLEHEM, PA 18017.

PROPERTY ID NO.: N7SW1A-10-2.

TITLE TO SAID PREMISES IS VESTED IN Elias E. Ferraira and Gidget D. Ferraira, husband and wife by Deed from Stephen E. Moller and Sheryl A. Moller, husband and wife dated 3/20/02 recorded 3/21/02 in Deed Book 2002-1 Page 75463.

SEIZED AND TAKEN into execution of the writ as the property of Elias E. Ferraira and Gidget D. Ferraira.

MARK J. UDREN, ESQUIRE

**No. 65  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-008112**

All that certain messuage, tenement and lot or piece of land situate on the south side of Berwick Street in the City of Easton, formerly Borough of South Easton, in the County of Northampton and Commonwealth of Pennsylvania, said lot being marked in the plan or plot of South Easton No. 79, and containing in front on said Berwick Street 40 feet and extending in depth 140 feet to a 20 feet wide alley; bounded on the north by said Berwick Street, on the east by Lot No. 78 on the south by said alley, and on the west by Lot No. 80.

Known as No. 534 W. Berwick Street, Easton, Pennsylvania .  
Being Parcel No. M9NE1B-3-4.

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 Darnell J. Anderson and Shakti Moody.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 66**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2004-008680**

ALL THAT CERTAIN tract or parcel of land together with the mesuage and tenements erected situate in the Township of Lower Mt. Bethel, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

TRACT No. 1: BEGINNING at the southwest corner of land now or late of Samuel Gardner, which point is 595.0 feet South 75 degrees 01 minutes West from the shore line at low water mark of the Delaware River and running thence North 54 degrees 13 minutes West, 1242.3 feet to the corner between lands formerly owned by Joseph and George Schoch and Phillip B. Miller; thence North 40 degrees 20 minutes West, 359.3 feet to a point in the division line between the lands formerly owned by Joseph and George Schoch and Phillip B. Miller; thence along said division line South 83 degrees 28 minutes West, 663.4 feet to a rock oak; thence South 6 degrees 14 minutes East, 180.9 feet; thence North 74 degrees 11 minutes West, 212.3 feet; thence South 71 degrees 54 minutes West, 317.80 feet; thence North 86 degrees 43 minutes West, 258.6 feet; thence North 73 degrees 25 minutes West, 216.6 feet; thence South 33 degrees 54 minutes West, 171.4 feet; thence South 52 degrees 20 minutes West, 70.4 feet; thence South 20 degrees 29 minutes West, 400.5 feet; thence South 35 degrees 20 minutes West, 162.0 feet; thence South 67 degrees 25 minutes East, 114.3 feet; thence South 13 degrees, 06 minutes East, 771.3 feet;

thence North 80 degrees 35 minutes East, 274.5 feet; thence South 35 degrees 16 minutes East, 638.6 feet; thence North 54 degrees 39 minutes East, 334.7 feet; thence South 35 degrees 11 minutes East, 1035.9 feet; thence North 61 degrees 43 minutes East, 601.0 feet; thence North 23 degrees 41 minutes West, 191.7 feet; thence North 35 degrees 28 minutes East, 1375.9 feet; thence North 23 degrees 41 minutes West, 191.7 feet; thence North 35 degrees 28 minutes East, 1375.9 feet; thence South 39 degrees 36 minutes East, 401.4 feet; thence North 59 degrees 48 minutes East, 153.8 feet; thence North 34 degrees 10 minutes West, 371.2 feet; thence North 28 degrees 39 minutes West, 77.1 feet to the place of beginning.

Northampton County Tax Parcel number: F11-9-3A-0117.

BEING KNOWN AS R.D. 2, Box 2133, Bangor, Pennsylvania.

SEIZED AND TAKEN into execution of the writ as the property of Clayton M. Stine, Jr.

DAWN M. SCHMIDT, 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

Apr. 13, 20, 27



The Lehigh Cement Company in Allentown, Pennsylvania has an immediate opening for a LEGAL ASSISTANT. This position would provide administrative and legal assistance to the Corporate Legal, Properties, and Public Affairs/Communications departments.

Preferred Skills and Qualifications:

- Associate Degree, Paralegal or Legal Assistant Diploma/Certificate
- 5 – 7 years of experience in a Paralegal, Legal Assistant or similar position
- Proficiency in MS Office including Word, Excel and Power Point
- Excellent written and verbal communications skills
- Ability to effectively handle multiple priorities
- Excellent organizational skills
- Ability to apply practical judgment balanced with sensitivity and tact
- Demonstrated commitment and ability to work in a Total Quality team environment
- Ability to work with a high degree of confidentiality

Responsibilities:

- Provides assistance in preparing legal documents for property and business transactions.
- Prepares drafts of routine contracts involving leases, licenses, purchases, sales, services and related matters.
- Performs legal research and compiles data using such references as digests, encyclopedias, practice manuals or other sources.
- Provides a variety of secretarial services for Public Affairs/Communications, Properties, and Legal, including travel arrangements, preparing documents, correspondence, ordering, filing, and file archives.
- Prepares routine transmittals to clients and outside counsel relating to transactions and contracts.

If you have the necessary skills and qualifications, please email your resume to **recruitment@lehighcement.com**.

PA State Certified Appraiser  
RL-000188-L



**MICHAEL D. EDGAR  
APPRAISAL SERVICES**

P.O. Box 20546  
Lehigh Valley, PA 18002-0546

Michael D. Edgar, SRA  
Phone: (610) 746-0494  
Fax: (610) 746-9070

**ESTATE, DIVORCE, LITIGATION**

**WHO DO YOU CALL WHEN YOU NEED LEGAL COPYING AND  
SCANNING DONE QUICKLY AND ACCURATELY  
WITH FREE PICKUP AND DELIVERY?**

Black & White Copying  
Color Copying  
Scan to Archive  
Document Conversion  
Bindery  
Network Services  
Stationery  
Booklets



[www.arrowdoc.com](http://www.arrowdoc.com)

**(We are a business-to-business non-retail service)**

1509 EASTON AVENUE BETHLEHEM, PA 18017 ■ PHONE: 610-865-4950 ■ FAX: 610-865-5630



**MAY 2006 COURT CALENDAR**

<b>MON</b>	<b>TUE</b>	<b>WED</b>	<b>THU</b>	<b>FRI</b>
1 Law Day Juvenile Status	2 Argument	3 DRS	4 Juvenile DRS ARD/ Summaries	5 Misc. Hearings
8 Juvenile Criminal	9 Criminal	10 Criminal	11 Arraignment Criminal	12 Misc. Hearings
15 Juvenile Non-Jury	16 Non-Jury	17 Non-Jury Civil Call	18 Juvenile Non-Jury	19 Misc. Hearings
22 Juvenile Civil	23 Civil	24 Civil	25 Juvenile Arraignment Civil	26 Misc. Hearings O.C. Audit
29 Memorial Day	30 Juvenile Argument	31 Civil Pretrials DRS		

**EDWARD FERRARO, Plaintiff v. DEBRA A. BELL; PENN  
JERSEY ADVANCE, INC.; THE EXPRESS-TIMES; EASTON  
PUBLISHING COMPANY and KURT BRESSWEIN, Defendants**

*Motions for Summary Judgment.*

This matter comes before the Court for disposition of two motions for summary judgment. One motion is brought on behalf of Defendants Penn Jersey Advance, Inc., *The Express-Times*, Easton Publishing Company and Kurt Bresswein (“Newspaper Defendants”). That motion seeks entry of summary judgment in favor of the Newspaper Defendants on claims for defamation and invasion of privacy. The second motion is brought on behalf of Plaintiff Edward Ferraro, seeking entry of summary judgment on certain counterclaims of Defendant Debra A. Bell sounding in wrongful use of civil proceedings and conversion.

Plaintiff Edward Ferraro is employed by the City of Easton as Chief Health Administrator and for many years has been the principal person responsible for compliance with and enforcement of local health laws. Ferraro was romantically involved with Defendant Debra A. Bell. After the two separated, by Ferraro’s account, Bell set upon a persistent, scorn-fueled, vengeful public and private campaign to damage Ferraro personally and professionally. Debra Bell ultimately signed a particular letter concerning Ferraro which is at the center of this case. The letter, dated August 15, 2001, was addressed to the Business Administrator of the City of Easton and Bell furnished a copy of the letter to *The Express-Times*. The letter is replete with allegations by Bell to the effect that Ferraro had engaged in a number of specified corrupt practices relating to his employment as a City of Easton health official. The letter claims to be based on information Bell acquired during her relationship with Ferraro. On August 18, 2001, the letter appeared in *The Express-Times*. The story was written by *Express-Times* reporter Kurt Bresswein. The story reported on the letter signed by Bell and itemized certain of the allegations contained in the letter. The story reported that representatives of the establishments identified by Bell who could be reached for comment in time for publication all denied Bell’s allegations. As the story reflects, Bresswein engaged in a measure of investigation prior to publication. Bresswein also reviewed public records bearing upon the Ferraro and Bell relationship.

Plaintiff Ferraro’s complaint contains claims for defamation and invasion of privacy against the Newspaper Defendants. Upon close of the pleadings and completion of pertinent discovery the Court is empowered to enter summary judgment as a matter of law whenever there is no genuine issue of any material fact as to a necessary element of the cause of action or where the party who bears the burden of proof at trial has failed to produce evidence sufficient to require the claim to be submitted to a jury. *See* Pa. R.C.P. 1035.2. Proper grant of summary judgment hinges upon an evidentiary record that either discloses that the material facts are undisputed or an evidentiary record that contains insufficient evidence to make out a *prima facie* cause of action. *See Basile v. H & R Block, Inc.*, 777 A.2d 95, 100-101 (Pa. Super. 2001). A plaintiff’s failure to adduce evidence to substantiate any element of the claim entitles the defendant to summary judgment as a matter of law. *See Ertel v. Patriot-News Co.*, 544 Pa. 93, 674 A.2d 1038 (1996). In passing upon any motion for summary judgment we must review the record in the light most favorable to the non-moving party, we must afford the non-moving party the benefit of all reasonable inferences arising from the evidence and we must resolve all doubts in favor of the non-moving party. *See Basile*, *supra*.

In *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964), the Supreme Court held that the Constitution “prohibits a public official from recovering damages for a defamatory falsehood relating to his official conduct unless he proves that the statement was made with ‘actual malice’—that is, with knowledge that it was false or with reckless disregard of whether it was false or not.” *Id.*, 376 U.S. at 279-80. The showing of actual malice must be made with “convincing clarity.” *Id.*, 376 U.S. at 285-86. This standard was later formulated as requiring “clear and convincing proof.” *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 342 (1974). It is the function of the court to determine as a matter of law whether a particular plaintiff should be classified as a public official. *See Iafrate v. Hadesty*, 423 Pa. Super. 619, 623, 621 A.2d 1005,

1007 (1993). The designation of public official “applies at the very least to those among the hierarchy of government employees who have, or appear to the public to have, substantial responsibility for or control over the conduct of governmental affairs.” *Rosenblatt v. Baer*, 383 U.S. 75, 85 (1966). As Chief Health Administrator for the City of Easton, Ferraro has substantial responsibility for the City government affairs bearing upon the public health. See *Id.* at 85. Accordingly, the court found that Ferraro is a public official.

The Supreme Court of Pennsylvania has had very recent occasion to review the law regarding operation of the First Amendment in the context of defamation actions. See *Norton v. Glenn*, 580 Pa. 212, 860 A.2d 48 (2004). Actual malice will only be found where the defendant published a story “with knowledge that it was false or with reckless disregard of whether it was false or not.” *Norton*, supra, 860 A.2d at 54 (quoting *New York Times Co.*, supra, 376 U.S. at 280). For purposes of establishing actual malice, reckless disregard is “not measured by whether a reasonably prudent man would have published, or would have investigated before publishing.” *Norton*, supra, 860 A.2d at 55 (quoting *St. Amant v. Thompson*, 390 U.S. 727, 731 (1968)). Instead, “[t]here must be sufficient evidence to permit the conclusion that the defendant in fact entertained serious doubts as to the truth of his publication. Publishing with such doubts shows reckless disregard for truth or falsity and demonstrates actual malice.” *Norton*, supra, 860 A.2d at 55 (quoting *St. Amant*, supra at 731). “Likewise, recklessness may be found where there are obvious reasons to doubt the veracity of the informant or the accuracy of his reports.” *Norton*, supra, 860 A.2d at 55 (quoting *St. Amant*, supra at 732). Actual malice may be found where “the publisher’s allegations are so inherently improbable that only a reckless man would have put them in circulation.” *Norton*, supra, 860 A.2d at 55 (quoting *St. Amant*, supra). The requisite reckless disregard for truth or falsity can be found where the defendant made the false publication with a “high degree of awareness of ... probable falsity.” *Harte-Hanks Communications, Inc. v. Connaughton*, 491 U.S. 657, 667 (1989) (quoting *Garrison v. Louisiana*, 379 U.S. 64, 74 (1964)). Actual malice is not established merely by demonstrating the falsity of the statements at issue. *Lewis v. Philadelphia Newspapers, Inc.*, 833 A.2d 185, 192 (Pa. Super. 2003) (citing *Curran v. Philadelphia Newspapers, Inc.*, 376 Pa. Super. 508, 514, 546 A.2d 639, 642 (1988)). Actual malice is not made out on a mere showing of negligence in ascertaining the truth. *Norton*, supra, 860 A.2d at 54 (citing *New York Times Co.*, supra at 288). A failure to investigate in itself is not sufficient to establish actual malice. *St. Amant*, supra at 732-33.

The actual malice standard is a constitutionally mandated safeguard and, as such, must be proven by clear and convincing evidence, the highest standard of proof for civil claims. *Lewis*, supra at 192. The “clear and convincing evidence” standard falls between the “preponderance of the evidence” standard and the “beyond a reasonable doubt” standard, and is typically defined as requiring evidence that is so clear, direct, weighty and convincing so as to enable one to come to a clear conviction, without hesitancy, of the truth of the precise facts in issue. See *Commonwealth v. Maldonado*, 576 Pa. 101, 838 A.2d 710, 715 (2003). It is for the Court to decide “whether the evidence in the record is sufficient to cross the constitutional threshold that bars the entry of any judgment that is not supported by clear and convincing proof of ‘actual malice.’” *Lewis*, supra at 192 (quoting *Curran*, supra at 517, 546 A.2d at 644).

The Court is mindful that there is no rule favoring summary disposition of this variety of case. See *Raffensberger v. Moran*, 336 Pa. Super. 97, 109, 485 A.2d 447, 453-54 (1984). The court’s function is simply to determine whether the plaintiff has demonstrated the existence of a genuine issue of material fact from which a jury could find publication with actual malice by clear and convincing evidence. See *Raffensberger*, supra at 109, 485 A.2d at 454.

The Court was unpersuaded that the record evidence establishes the existence of a genuine issue of material fact from which a jury could find publication with actual malice by clear and convincing evidence. First, the Court concluded that there is no sufficient showing that the Newspaper Defendants published the story with knowledge that it was false. Second, the Court found lacking that quantum of evidence necessary to show that the Newspaper Defendants published the story with reckless disregard of whether it was false or not. The Court reasoned that the Bresswein testimony regarding the reporter’s opinions and suspicions as to truth or falsity does not create a jury question as to whether the Newspaper Defendants

in fact entertained serious doubts as to the truth of Bell's allegations. The allegations leveled by Bell against Ferraro were not "so inherently improbable that only a reckless man would have put them in circulation." *Norton*, supra, 860 A.2d at 55 (quoting *St. Amant*, supra at 732). The evidence does not tend toward establishing fabrication. *Lewis*, supra at 192 (citing *Sprague v. Walter*, 441 Pa. Super. 1, 29, 656 A.2d 890, 904 (1995)). Nor do we find sufficient evidence to establish publication with a "high degree of awareness of ... probable falsity." *Harte-Hanks*, supra at 667 (quoting *Garrison*, supra at 74). The Court further reasoned that Bell was in a position to know of the information she put forth in the letter which was the subject of the story. The Court will not conclude "that a defendant entertained the requisite doubt as to the veracity of the challenged publication where the publication was based on information a defendant could reasonably believe to be accurate." *Curran v. Philadelphia Newspapers, Inc.*, 497 Pa. 163, 180, 439 A.2d 652, 660 (1981). See *Tucker v. Philadelphia Daily News*, 577 Pa. 598, 848 A.2d 113, 136 (2004). Moreover, the Court will not ignore the fact that the restaurant owners and others alleged to have provided free meals and services to Ferraro had ample reason to deny Bell's allegations of wrongdoing by Ferraro.

Finally, the Court is not persuaded that the Newspaper Defendants conducted themselves in a manner to purposely avoid confirming the truth or falsity of Bell's allegations. Actual malice is not made out on a showing of negligence in ascertaining the truth. *Norton*, supra, 860 A.2d at 54 (citing *New York Times Co.*, supra at 288). Reckless disregard is "not measured by whether a reasonably prudent man would have published, or would have investigated before publishing." *Norton*, supra, 860 A.2d at 55 (quoting *St. Amant*, supra at 731). A failure to investigate in itself is not actual malice. *St. Amant*, supra at 732-33. Here, there was significant investigation.

The Court found that the evidence does not establish either that the Newspaper Defendants lied, or had "a high degree of awareness" that the statements were "probably false," or that they "entertained serious doubts as to the truth of [the] publication." *Lewis*, supra at 193 (quoting other cases). That Bresswein was dubious about Bell's allegations does not require the "self-censorship" which chills the robust discussion of public business and the conduct of public officials which is the goal of the First Amendment. See *St. Amant*, supra at 731-32. The Newspaper Defendants are entitled to summary judgment on the defamation claim contained in Count V of the Complaint. The Court reasoned that because there is insufficient record evidence to support a finding of actual malice, Ferraro's invasion of privacy claim must fail. See *Coughlin v. Westinghouse Broadcasting and Cable, Inc.*, 603 F. Supp. 377 (E.D. Pa. 1985) (citing *Time, Inc. v. Hill*, 385 U.S. 374, 390 (1967); *Goldman v. Time, Inc.*, 336 F. Supp. 133, 137-38 (N.D. Cal. 1971); Restatement (Second) Torts, Section 652E(b), comment d (1977)). The Newspaper Defendants were granted summary judgment on the invasion of privacy claim contained in Count VI of the Complaint.

Plaintiff Ferraro seeks entry of summary judgment in his favor on Bell's counterclaims for wrongful use of civil proceedings and conversion. A two year statute of limitations governs wrongful use of civil proceedings. *Buchleitner v. Perer*, 794 A.2d 366, 372 (Pa. Super. 2002). The Protection From Abuse action in question here was instituted on April 18, 2000. The counterclaim was not filed until 2003. The counterclaim for wrongful use of civil proceedings is barred. The Court also found there to be a complete lack of any record evidence on the wrongful use of civil proceedings claim to survive summary judgment. Bell has stated a counterclaim against Ferraro for conversion. The Court concluded that this counterclaim for conversion is not supported by sufficient evidence to survive summary judgment, and that Plaintiff Ferraro is entitled to entry of summary judgment in his favor on the counterclaim for conversion.

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division, No. C-48-CV-2002-5756.

Order of court granting summary judgment for Defendants Penn Jersey Advance, Inc., *The Express-Times*, Easton Publishing and Kurt

Bresswein in all respects as to the claims for defamation and invasion of privacy.

Order of court granting summary judgment for Plaintiff Edward Ferraro granted in all respects as to the counterclaims of Defendant Debra A. Bell for wrongful use of civil proceedings and conversion.

NICHOLAS CHARLES HAROS, ESQUIRE, for the plaintiff.

DOUGLAS J. SMILLIE, ESQUIRE, for defendants Penn Jersey Advance, The Express-Times, and Easton Publishing Company.

DEBRA A. BELL, Pro Se, in this matter.

Order of court entered on January 19, 2005 by FREEDBERG, P.J.

#### *OPINION*

This matter comes before the Court for disposition of two motions for summary judgment. One motion is brought on behalf of Defendants Penn Jersey Advance, Inc., *The Express-Times*, Easton Publishing Company and Kurt Bresswein (“Newspaper Defendants”). That motion seeks entry of summary judgment in favor of the Newspaper Defendants on claims for defamation and invasion of privacy. The second motion is brought on behalf of Plaintiff Edward Ferraro. That motion seeks entry of summary judgment in favor of Plaintiff Ferraro on certain counterclaims of Defendant Debra A. Bell sounding in wrongful use of civil proceedings and conversion. Pertinent facts and procedural history follow.

#### *FACTS AND PROCEDURAL HISTORY*

Plaintiff Edward Ferraro is employed by the City of Easton as Chief Health Administrator. Ferraro has held that specific title since 1999, but he has long served the City of Easton in essentially the same capacity with varying titles including City Sanitarian and Health Officer. Job titles aside, Ferraro has been for many years the principal person responsible for compliance with and enforcement of local health laws.

In at least July of 1995, Ferraro became romantically involved with Defendant Debra A. Bell. Ferraro and Bell lived together during a relationship that lasted a number of years. The two shared ownership of the home in which they lived. Ferraro and Bell actually executed an affidavit of common-law marriage which Ferraro utilized to secure employer provided health benefits for Bell through the City of Easton. Ferraro alleges that he ended the relationship in the spring of 1997. Bell claims that the relationship endured through the spring of 2000. In any event, there came a time when the two did separate and Ferraro became romantically involved with a new

woman. By Ferraro's account, Bell then set upon a persistent, scorn-fueled, vengeful public and private campaign to damage Ferraro personally and professionally.

Debra Bell ultimately signed a particular letter concerning Ferraro. The letter is at the center of this case. The letter, dated August 15, 2001, was addressed to the Business Administrator of the City of Easton and Bell furnished a copy of the letter to *The Express-Times*. As a general matter, the letter is replete with allegations by Bell to the effect that Ferraro had engaged in a number of specified corrupt practices relating to his employment as a City of Easton health official. The letter is captioned "Re: Corrupt, Unethical, Fraudulent, and Improper Activities by City Sanitarian Edward J. Ferraro" and claims to be based on information Bell acquired during her nine-year relationship with Ferraro.

On August 18, 2001, *The Express-Times* carried an above the fold page A1 story bearing the headline "Letter claims official corrupt—Easton Sanitarian Edward J. Ferraro denies accusations." The story was written by *Express-Times* reporter Kurt Bresswein. The story reported on the letter signed by Bell and itemized certain of the allegations contained in the letter. Specifically, the story stated that among the fourteen "allegations" in Bell's letter were: that Ferraro received free meals at Easton restaurants that he inspects; that Ferraro accepted free car washes for his City and personal vehicles at Easton Shammy Shine Car Wash; that Ferraro used his influence as a City health official to get Bell fired from her waitress job at Cafe Aaron; that Ferraro made Bell his common-law wife to secure health insurance coverage for her through the City of Easton; and that Ferraro used City equipment and services such as power tools, picnic tables and snow plowing for his personal benefit.

The story reported that representatives of the establishments identified by Bell who could be reached for comment in time for publication all denied Bell's allegations. More precisely, the story reported that the manager of Easton Shammy Shine Car Wash stated that Bell's allegation regarding Ferraro and the car wash was false. Further, the story reported that a representative of Cherubina Ristorante in Easton, one of the establishments Bell claimed gave Ferraro free meals, denied Bell's claims. Finally, the story reported that a representative of Cafe Aaron denied Bell's allegation that Ferraro used his influence to have Bell fired.

The story's lead paragraph stated that "Easton's top health official claims his ex-girlfriend is waging a smear campaign against him by alleging professional misconduct ...." The story reported that Ferraro initially declined comment when asked about Bell's letter, but the story also quoted an apparently verbatim statement of Ferraro to the effect that, "The allegations made against me by Debra Bell are being made by a disgruntled ex-live-in-girlfriend. I broke the relationship three years ago, and since that

day she has committed herself to discredit my reputation and to make my life miserable.”

As the story reflects, Bresswein engaged in a measure of investigation prior to publication. In particular, Bresswein interviewed Bell; he interviewed representatives of Cherubina Ristorante, Mother’s Bar and Grille, Shabby Shine Car Wash and Cafe Aaron; he interviewed Bell’s attorney; and he interviewed Ferraro. Bresswein also reviewed public records bearing upon the Ferraro and Bell relationship, including property records and court records relating to various Protection From Abuse and criminal matters. Bresswein’s investigation disclosed that Bell maintained her allegations, that Ferraro essentially denied the allegations and impugned Bell’s motives, that restaurant and business owners denied any wrongdoing by Ferraro and that the public record showed a relationship between Ferraro and Bell deteriorating sharply over time.

Plaintiff Ferraro instituted this action by praecipe for writ of summons filed August 8, 2002. A complaint followed on November 12, 2002. Pertinent to the issues now before us, the Complaint contains claims for defamation and invasion of privacy against the Newspaper Defendants. The Complaint also contains a number of separate claims against Bell individually. Ultimately, Bell included counterclaims for wrongful use of civil proceedings and conversion. The wrongful use of civil proceedings claim centers upon an allegation that Ferraro obtained an *ex parte* Protection From Abuse order without probable cause. The conversion claim centers upon an allegation that Bell gave Ferraro \$10,000 to replace a septic system and that Ferraro used half of that money for the septic system while converting the other half to his own personal use.

The Newspaper Defendants now seek entry of summary judgment in their favor on the defamation and invasion of privacy claims. Likewise, Plaintiff Ferraro seeks entry of summary judgment in his favor on Bell’s counterclaims for wrongful use of civil proceedings and conversion.

Counsel have submitted briefs addressing the issues raised, and the Court has heard oral argument from counsel and Defendant Bell appearing *pro se*. The matter is now ready for disposition.

## DISCUSSION

### *Summary Judgment*

Upon close of the pleadings and completion of pertinent discovery the Court is empowered to enter summary judgment as a matter of law whenever there is no genuine issue of any material fact as to a necessary element of the cause of action, or where the party who bears the burden of proof at trial has failed to produce evidence sufficient to require the claim to be submitted to a jury. *See* Pa. R.C.P. 1035.2.

Proper grant of summary judgment hinges upon an evidentiary record that either discloses that the material facts are undisputed or an evidentiary record that contains insufficient evidence to make out a *prima facie* cause of action. See *Basile v. H & R Block, Inc.*, 777 A.2d 95, 100-101 (Pa. Super. 2001). A plaintiff's failure to adduce evidence to substantiate any element of the claim entitles the defendant to summary judgment as a matter of law. See *Ertel v. Patriot-News Co.*, 544 Pa. 93, 674 A.2d 1038 (1996).

In passing upon any motion for summary judgment we must review the record in the light most favorable to the non-moving party, we must afford the non-moving party the benefit of all reasonable inferences arising from the evidence and we must resolve all doubts in favor of the non-moving party. See *Basile*, supra at 101.

#### *Motion of Newspaper Defendants*

The issues raised place the Court at the intersection of the private right to redress attacks upon reputation and the public interest in the preservation of free expression. Count V of the Complaint states a claim for defamation against the Newspaper Defendants in connection with publication of the story in *The Express-Times*. Count VI of the Complaint states a claim against the Newspaper Defendants for invasion of privacy stemming from publication of the story in *The Express-Times*. The Newspaper Defendants seek summary judgment as to both claims.

#### I.

In *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964), the Supreme Court of the United States “determin[ed] for the first time the extent to which the constitutional protections for speech and press limit a State’s power to award damages in a libel action brought by a public official against critics of his official conduct.” *Id.* at 256. The Court held that the Constitution “prohibits a public official from recovering damages for a defamatory falsehood relating to his official conduct unless he proves that the statement was made with ‘actual malice’—that is, with knowledge that it was false or with reckless disregard of whether it was false or not.” *Id.* at 279-80. The showing of actual malice must be made with “convincing clarity.” *Id.* at 285-86. This standard was later formulated as requiring “clear and convincing proof.” *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 342 (1974).

The actual malice framework is “a fault standard, predicated on the need to protect the public discourse under the First Amendment from the chill that might be fostered by less vigilant limitations on defamation actions brought by public officials.” *Lewis v. Philadelphia Newspapers, Inc.*, 833 A.2d 185, 191 (Pa. Super. 2003).



## II.

In the first instance, we must ascertain whether Ferraro is a public official so as to trigger the *New York Times* actual malice standard. It is the function of the court to determine as a matter of law whether a particular plaintiff should be classified as a public official. *See Iafrate v. Hadesty*, 423 Pa. Super. 619, 623, 621 A.2d 1005, 1007 (1993). The designation of public official “applies at the very least to those among the hierarchy of government employees who have, or appear to the public to have, substantial responsibility for or control over the conduct of governmental affairs.” *Rosenblatt v. Baer*, 383 U.S. 75, 85 (1966).

Ferraro virtually concedes, and in any event we have little hesitation concluding, that Ferraro is a public official for *New York Times* purposes. As Chief Health Administrator for the City of Easton, Ferraro is generally responsible for enforcing the local public health laws. This includes official inspections and monitoring of restaurants and food establishments. Ferraro has had these official responsibilities for twenty years, though he was previously known by the titles City Sanitarian and Health Officer. Ferraro certainly has substantial responsibility for the City government affairs bearing upon the public health. *See Rosenblatt*, *supra* at 85. Accordingly, we find that Ferraro is a public official.

## III.

The Supreme Court of Pennsylvania has had very recent occasion to review the law regarding operation of the First Amendment in the context of defamation actions. *See Norton v. Glenn*, 580 Pa. 212, 860 A.2d 48 (2004) (rejecting position that a neutral reportage privilege is encompassed within either the Pennsylvania Constitution or the United States Constitution). In so doing, the Pennsylvania Supreme Court reviewed *New York Times* and its progeny regarding the actual malice standard.

Actual malice will only be found where the defendant published a story “with knowledge that it was false or with reckless disregard of whether it was false or not.” *Norton*, *supra*, 860 A.2d at 54 (quoting *New York Times Co.*, *supra* at 280). For purposes of establishing actual malice, reckless disregard is “not measured by whether a reasonably prudent man would have published, or would have investigated before publishing.” *Norton*, *supra*, 860 A.2d at 55 (quoting *St. Amant v. Thompson*, 390 U.S. 727, 731 (1968)). Instead, “[t]here must be sufficient evidence to permit the conclusion that the defendant in fact entertained serious doubts as to the truth of his publication. Publishing with such doubts shows reckless disregard for truth or falsity and demonstrates actual malice.” *Norton*, *supra*, 860 A.2d at 55 (quoting *St. Amant*, *supra* at 731). “Likewise, recklessness may be found where there are obvious reasons to doubt the veracity of the informant or the accuracy of his reports.” *Norton*, *supra*, 860 A.2d at 55 (quoting *St. Amant*, *supra* at 732).

Actual malice may be found where “the publisher’s allegations are so inherently improbable that only a reckless man would have put them in circulation.” *Norton*, supra, 860 A.2d at 55 (quoting *St. Amant*, supra at 732). The requisite reckless disregard for truth or falsity can be found where the defendant made the false publication with a “high degree of awareness of ... probable falsity.” *Harte-Hanks Communications, Inc. v. Connaughton*, 491 U.S. 657, 667 (1989) (quoting *Garrison v. Louisiana*, 379 U.S. 64, 74 (1964)). Actual malice is not established merely by demonstrating the falsity of the statements at issue. *Lewis*, supra at 192 (citing *Curran v. Philadelphia Newspapers, Inc.*, 376 Pa. Super. 508, 514, 546 A.2d 639, 642 (1988)). The actual malice inquiry focuses on what the defendant did as opposed to what the defendant refrained from doing or what the defendant might have done but failed to do. See *Lewis*, supra at 192 (citing *Fitzpatrick v. Philadelphia Newspapers, Inc.*, 389 Pa. Super. 438, 448, 567 A.2d 684, 689 (1989)). Actual malice is not made out on a mere showing of negligence in ascertaining the truth. *Norton*, supra, 860 A.2d at 54 (citing *New York Times Co.*, supra at 288). A failure to investigate in itself is not sufficient to establish actual malice. *St. Amant*, supra at 732-33.

The actual malice standard is a constitutionally mandated safeguard and, as such, must be proven by clear and convincing evidence, the highest standard of proof for civil claims. *Lewis*, supra at 192. The “clear and convincing evidence” standard falls between the “preponderance of the evidence” standard and the “beyond a reasonable doubt” standard, and is typically defined as requiring evidence that is so clear, direct, weighty and convincing so as to enable one to come to a clear conviction, without hesitancy, of the truth of the precise facts in issue. See *Commonwealth v. Maldonado*, 576 Pa. 101, 838 A.2d 710, 715 (2003). It is for the court to decide “whether the evidence in the record is sufficient to cross the constitutional threshold that bars the entry of any judgment that is not supported by clear and convincing proof of ‘actual malice.’” *Lewis*, supra at 192 (quoting *Curran*, supra at 517, 546 A.2d at 644).

We are mindful that summary judgment disposition of a defamation case involving actual malice is no different from any other case. That is, there is no rule favoring summary disposition of this variety of case. See *Raffensberger v. Moran*, 336 Pa. Super. 97, 109, 485 A.2d 447, 453-54 (1984). Our function is simply to determine whether the plaintiff has demonstrated the existence of a genuine issue of material fact from which a jury could find publication with actual malice by clear and convincing evidence. See *Raffensberger*, supra at 109, 485 A.2d at 454.

#### IV.

Ferraro claims that the following specific statements from the story are defamatory and were published with actual malice: (1) “Letter claims official corrupt”; (2) “The letter alleges ‘corrupt, unethical, fraudulent and

improper activities by City Sanitarian Edward J. Ferraro’ ”; (3) “Ferraro received free meals at Easton restaurants that he inspects to insure public health”; (4) “Ferraro accepted free car washes for his city and personal vehicles at Easton Shammy Shine Car Wash at the foot of College Hill”; (5) “Ferraro used his influence as a city health official to get Bell fired from her waitress job at Cafe Aaron”; (6) “Ferraro used city equipment and services, such as power tools, picnic tables and snow plowing, for his personal benefit”; and (7) “Among the restaurants that Bell alleges gave Ferraro free food is Cherubina Ristorante at 1001 Northampton Street.”

In his first, and perhaps best, argument, Ferraro contends that the deposition testimony of Kurt Bresswein discloses that Bresswein entertained serious doubt as to the truth of Bell’s claims. In fact, Ferraro would have us read the Bresswein testimony as an admission that Bresswein believed Bell’s claims to be false and published the claims anyway. In his investigation, Bresswein interviewed Fran Cregar, mother of the owner of Cherubina Ristorante. On deposition, Bresswein testified:

\*\*\*\*\*

Q. Did you form an opinion as to whether Mr. Ferraro received free food from that restaurant after your conversation with Ms. Cregar?

A. According to what she said, he did not receive free food.

Q. Okay. But, again, my question was: Did you have an opinion as to whether she was telling you the truth or not?

A. I took—I believe that she was saying the truth.

\*\*\*\*\*

Beyond the specific question of free meals at Cherubina Ristorante, Ferraro claims that the Bresswein testimony discloses that Bresswein entertained serious doubt as to Bell’s claims generally. Bresswein testified:

\*\*\*\*\*

Q. Let me ask you this. What’s your opinion as to the impression that this story leaves upon the reader as to the truth of Ms. Bell’s allegations?

A. I believe it just dispels these rumors. This article dispels those rumors.

Q. You think that the reader comes away thinking that Ms. Bell made all this up?

\*\*\*\*\*

A. As a reader?

Q. Right.

A. I feel that she is making this stuff up.

\*\*\*\*\*

Q. Okay. But you had suspicions that she might be making this up?

A. Oh, yes.

Q. Were they strong suspicions?

A. Well, by that point, I mean by Friday no one had corroborated her claims. So, I was definitely suspicious.

\*\*\*\*\*

Over and above the Bresswein testimony, Ferraro directs us to what he contends is still further evidence of actual malice. Specifically, Ferraro contends that considerable evidence establishes that Bresswein had obvious reasons to doubt the veracity of Bell and the accuracy of her claims thereby establishing the requisite reckless disregard for truth or falsity. In particular, Ferraro points to the following information in the possession of *The Express-Times* before the story ran: that not a single person corroborated Bell's allegations prior to publication; that there were no known prior independent allegations of corruption against Ferraro; that Bell had a bitter personal animosity against Ferraro stemming from the disintegration of their romantic relationship; that Bell's own lawyer advised against submitting the allegation filled letter; that representatives of all of the restaurants and establishments identified by Bell denied providing Ferraro free meals or services; and that a representative of Cafe Aaron denied that Ferraro had anything to do with the termination of Bell's employment.

Finally, Ferraro contends that actual malice is established by Bresswein's failure to interview a number of other people who Bresswein himself acknowledged were important for the story. Ferraro contends that the failure in this regard amounts to a purposeful avoidance of the truth sufficient to support a finding of actual malice.

#### V.

We are unpersuaded that the record evidence establishes the existence of a genuine issue of material fact from which a jury could find publication with actual malice by clear and convincing evidence. First, we easily conclude that there is no sufficient showing that the Newspaper Defendants published the story with knowledge that it was false. Second, we find lacking that quantum of evidence necessary to show that the Newspaper Defendants published the story with reckless disregard of whether it was false or not.

The Bresswein testimony regarding the reporter's opinions and suspicions as to truth or falsity gives us pause, but does not create a jury question as to whether the Newspaper Defendants in fact entertained serious doubts as to the truth of Bell's allegations. The allegations leveled by Bell against Ferraro were not "so inherently improbable that only a reckless man would have put them in circulation." *Norton*, supra, 860 A.2d at 55 (quoting *St. Amant*, supra at 732). The evidence does not tend toward es-

tablishing fabrication. *Lewis*, supra at 192 (citing *Sprague v. Walter*, 441 Pa. Super. 1, 29, 656 A.2d 890, 904 (1995)). Nor do we find sufficient evidence to establish publication with a “high degree of awareness of ... probable falsity.” *Harte-Hanks*, supra at 667 (quoting *Garrison*, supra at 74).

While there maybe a myriad of reasons to have doubted Bell’s veracity, we will not ignore the fact that Bell was in a position to know of the information she put forth in the letter which was the subject of the story. Scorned or not, and motivations aside, Bell was in a long-term serious personal and romantic relationship with Ferraro and she was positioned to be uniquely privy, on a first-hand basis, to precisely the type of conduct which she alleges on the part of Ferraro. We will not conclude “that a defendant entertained the requisite doubt as to the veracity of the challenged publication where the publication was based on information a defendant could reasonably believe to be accurate.” *Curran v. Philadelphia Newspapers, Inc.*, 497 Pa. 163, 180, 439 A.2d 652, 660 (1981). See *Tucker v. Philadelphia Daily News*, 577 Pa. 598, 848 A.2d 113, 136 (2004). Moreover, we will not ignore the fact that the restaurant owners and others alleged to have provided free meals and services to Ferraro certainly had ample reason to deny Bell’s allegations of wrongdoing by Ferraro. The fact is that if Bell’s allegations in this regard were true, then the restaurant owners and others were party to the wrongdoing. Further, Bell, who claimed to be an eyewitness to some of the misconduct, persisted in her allegations when interviewed by Bresswein.

Finally, we are not persuaded that the Newspaper Defendants conducted themselves in a manner to purposely avoid confirming the truth or falsity of Bell’s allegations. Actual malice is not made out on a showing of negligence in ascertaining the truth. *Norton*, supra, 860 A.2d at 54 (citing *New York Times Co.*, supra at 288). Reckless disregard is “not measured by whether a reasonably prudent man would have published, or would have investigated before publishing.” *Norton*, supra, 860 A.2d at 55 (quoting *St. Amant*, supra at 731). The actual malice inquiry focuses on what the defendant did as opposed to what the defendant refrained from doing or what the defendant might have done but failed to do. See *Lewis*, supra at 192 (citing *Fitzpatrick*, supra at 448, 567 A.2d at 689). A failure to investigate in itself is not actual malice. *St. Amant*, supra at 732-33. Here, there was significant investigation.

The evidence does not establish either that the Newspaper Defendants lied, or had “a high degree of awareness” that the statements were “probably false,” or that they “entertained serious doubts as to the truth of [the] publication.” *Lewis*, supra at 193 (quoting other cases). That Bresswein was dubious about Bell’s allegations does not require the “self-censorship” which chills the robust discussion of public business and the conduct of public officials which is the goal of the First Amendment. See *St. Amant*,

supra at 731-32. The Newspaper Defendants are entitled to summary judgment on the defamation claim contained in Count V of the Complaint.

## VI.

Since we have concluded that there is insufficient record evidence to support a finding of actual malice, we also conclude that Ferraro's invasion of privacy claim must fail. The invasion of privacy claim rests upon the same basis as the defamation claim, and we will not countenance an end run around First Amendment protections afforded to the media. Ferraro must prove actual malice to prevail on his invasion of privacy claim. He is unable to do so, and this claim must fail. *See Coughlin v. Westinghouse Broadcasting and Cable, Inc.*, 603 F. Supp. 377 (E.D. Pa. 1985) (citing *Time, Inc. v. Hill*, 385 U.S. 374, 390 (1967); *Goldman v. Time, Inc.*, 336 F. Supp. 133, 137-38 (N.D. Cal. 1971); Restatement (Second) Torts, Section 652E(b), comment d (1977)).

The Newspaper Defendants are entitled to summary judgment on the invasion of privacy claim contained in Count VI of the Complaint.

### *Motion of Ferraro on Counterclaims*

Plaintiff Ferraro seeks entry of summary judgment in his favor on Bell's counterclaims for wrongful use of civil proceedings and conversion.

## I.

Bell has stated a counterclaim for wrongful use of civil proceedings. Ferraro contends that the claim is barred by the applicable statute of limitations and that, notwithstanding, the claim is wholly unsupported by any record evidence sufficient to survive summary judgment.

The gravamen of Bell's wrongful use of civil proceedings counterclaim stems from her allegation that Ferraro obtained an *ex parte* Protection From Abuse order against Bell without probable cause on April 18, 2000. That Protection From Abuse action was dismissed by this Court on April 28, 2000.

A two year statute of limitations governs wrongful use of civil proceedings. *Buchleitner v. Perer*, 794 A.2d 366, 372 (Pa. Super. 2002). The Protection From Abuse action in question here was instituted on April 18, 2000. The two year statute of limitations expired on April 18, 2002. The counterclaim was not filed until 2003. The counterclaim for wrongful use of civil proceedings is barred.

Over and above the statute of limitations question, we find there to be a complete lack of any record evidence on the wrongful use of civil proceedings claim to survive summary judgment. Bell herself admitted at deposition that she did not even know this counterclaim was filed and that she never read the counterclaim. There is an absence of record evidence supporting the counterclaim and the counterclaim is thus without merit.

Plaintiff Ferraro is entitled to entry of summary judgment in his favor on the counterclaim for wrongful use of civil proceedings.

## II.

Bell has stated a counterclaim against Ferraro for conversion. Ferraro seeks summary judgment on the basis that there is no evidence to support the counterclaim.

Bell's counterclaim for conversion alleges that Bell paid Ferraro \$10,000 to replace a septic system on their property but that Ferraro used only \$5,000 for the septic system and converted the other \$5,000 to his own personal use.

We have little difficulty concluding that this counterclaim for conversion is not supported by sufficient evidence to survive summary judgment. Bell testified on deposition that she saw Ferraro pay the entire \$10,000 sum to Frances Fehley for repairs to the septic system. Bell further testified that her knowledge of the purported kickback conversion came from a barroom conversation she had with a man named "Brian." Bell could not date the conversation, Bell did not know Brian's surname, and Bell claims that she has not seen this "Brian" since her barroom conversation. Ferraro has denied the kickback conversion, as has Frances Fehley. This counterclaim will not survive summary judgment.

Plaintiff Ferraro is entitled to entry of summary judgment in his favor on the counterclaim for conversion.

WHEREFORE, we enter the following:

### ORDER

AND NOW, this 19 day of January, 2005, upon consideration of the motions for summary judgment filed in the above-captioned matter, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. The motion for summary judgment filed on behalf of Defendants Penn Jersey Advance, Inc., *The Express-Times*, Easton Publishing and Kurt Bresswein is GRANTED in all respects as to the claims for defamation and invasion of privacy.

2. The motion for summary judgment filed on behalf of Plaintiff Edward Ferraro is GRANTED in all respects as to the counterclaims of Defendant Debra A. Bell for wrongful use of civil proceedings and conversion.

## Northampton County Bar Association Notification of Change Form

To assist the NCBA Staff in maintaining up-to-date information on all attorneys and subscribers of the *Reporter*, would you please complete the form below and return it to the NCBA Office whenever you have a change and/or addition to your address, telephone number, fax number or e-mail address. *Return to:* Northampton County Bar Association, 155 South Ninth Street, Easton, PA 18042-4399, FAX: (610) 258-8715.

*Please change the following:*

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_

E-MAIL \_\_\_\_\_