

Northampton County Reporter

(USPS 395-280)

VOL. LIV

EASTON, PA April 27, 2006

NO. 69

**Holley V. Calantoni, Plaintiff v. Bethlehem Area School District
and Stephanie Peluso, Defendants**

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INSERT: Mint: 1. Quarterly Association Meeting

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 Calendar of Events

Cream: 1. PBI CLE Seminars/NCBA Office

2. "Bankruptcy Tidbits for the General Practitioner in the Aftermath of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005"
3. "The Leveraged Buyout"
4. Save the Dates! for the Summer Outing and 2006 Bench Bar Conference

NOTICE TO THE BAR ...

Kindly be advised that four (4) additional status conference dates are being added to the current Court calendar. The additional dates are as follows: July 18, 2006, August 29 and 31, 2006, and September 19, 2006.

If you have any questions concerning these changes, please call the Court Administrator's Office at (610) 559-6700.

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Northampton County Reporter

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

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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

“Bankruptcy Tidbits for the General Practitioner in the Aftermath of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005”—Tuesday, June 13, 2006

“The Leveraged Buyout”—Wednesday, June 21, 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

May is Health Awareness Month at the BALC—The Community Service Committee of the Bar Association of Lehigh County invites all NCBA members, their Staff and Guests, and the General Public to two Health Awareness Programs scheduled during May:

Monday, May 8, 2006—Breast Cancer Awareness presented by Dr. Gregory R. Harper, a Professor of Medicine at Penn State College of Medicine and a member of the Penn State Cancer Institute. At Lehigh Valley Hospital he is Oncology Physician in Chief & Medical Director of Breast Health Services.

Thursday, May 18, 2006—Prostate Cancer Awareness presented by Dr. Joseph G. Trapasso, a partner with Urologic Associates of Allentown & serves on the staff of the Department of Surgery, Division of Urology, at Lehigh Valley Hospital.

The May Health Awareness Programs will be held at

4:00 p.m.-5:00 p.m.

At the Bar Association’s Barristers’ Club
114 W. Walnut Street, Allentown

There is no charge for the programs

RSVP’s are requested by calling (610) 433-6204, extension 10

Real Fact: Broccoli is the only vegetable that is a flower.

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**CHROUST, STEPHEN A.,** dec'd.

Late of Bethlehem Township, Northampton County, PA
Executors: Richard A. Chroust, 4537 Newburg Road, Nazareth, PA 18064 and Elizabeth Ann Chroust, 4063 Devonshire Road, Bethlehem, PA 18020

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

FARKAS, EDWARD J., dec'd

Late of the Borough of Northampton, Northampton County, PA

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

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

GRUBBS, ANNIELAURE, dec'd.

Late of Bethlehem, Northampton County, PA

Co-Administrators: Amy McHugh, 513 Bald Eagle Court, Lancaster PA 17601; Sarah Grubbs, 2429 Woodstock Drive, Bethlehem, PA 18017; and Martha Grubbs, 541 4th Ave, Bethlehem PA 18018

GRUBBS, ROGER S., dec'd

Late of Bethlehem, Northampton County, PA

Co-Administrators: Amy McHugh, 513 Bald Eagle Court, Lancaster PA 17601; Sarah Grubbs, 2429 Woodstock Drive, Bethlehem, PA 18017; and Martha Grubbs, 541 4th Ave, Bethlehem PA 18018

KARAKASH, JOHN J., dec'd.

Late of Bethlehem, Northampton County, PA

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

KOCH, MARY R., dec'd.

Late of Nazareth, Northampton County, PA

Executor: William R. Koch c/o Beth A. Dobis Beers, Esquire, 315 E. Main Street, Bath, PA 18014

Attorney: Beth A. Dobis Beers, Esquire, 315 E. Main Street, Bath, PA 18014

KRAYCIK, ROBERT, dec'd

Late of the Township of Palmer, Northampton County, PA

Executrix: Ms. Terri Baldwin c/o Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, 940 West Lafayette Street, Suite 100, Easton, PA 18042-1412

Attorneys: Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, 940 West Lafayette Street, Suite 100, Easton, PA 18042-1412

MARKOVITZ, ALFRED, dec'd.

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

Administratrix: Anne L. Fliszar, 181 Persimmon Lane, Bangor, PA 18013

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

PERKOWSKI, STANLEY W., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Administratrix: Margaret L. Perkowski c/o Kevin Frank Danyi, Esquire, Danyi Law Offices, P.C., 133 East Broad Street, Bethlehem, PA 18018

Attorneys: Kevin Frank Danyi, Esquire, Danyi Law Offices, P.C., 133 East Broad Street, Bethlehem, PA 18018

SKRIVANEK, CATHERINE M., dec'd.

Late of Northampton County, PA

Executrix: Linda Herkalo c/o Richard P. Kovacs, Esquire, Noel, Kovacs & McGuire, P.C., 2505 Newburg Road, Easton, PA 18045-1963

Attorneys: Richard P. Kovacs, Esquire, Noel, Kovacs & McGuire, P.C., 2505 Newburg Road, Easton, PA 18045-1963

SECOND 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

THIRD 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

**NOTICES OF INCORPORATION
ACE DRY CLEANERS, INC.**

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

Apr. 27

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for:

CHRIS & SON INC.

a corporation organized under the Pennsylvania Business Corporation Law of 1988.

Apr. 27

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 purposes of obtaining a Certificate of Incorporation of a proposed business corporation to be organized under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the corporation is:

JML HEATING OIL, INC.

The Articles of Incorporation were filed on April 6, 2006.

BOYER, HOLZINGER, HARAK & SCOMILLIO

1216 Linden Street
P.O. Box 1409
Bethlehem, PA 18016

Apr. 27

NOTICE IS HEREBY GIVEN that Articles of Incorporation (LLC) were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation of a business corporation to be organized under the provision of the 1988 Business Corporation Law of the Commonwealth of Pennsylvania. The name of the corporation (LLC) is:

JPD PRODUCTIONS, LLC

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

GEORGE S. KOUNOUPIS,
ESQUIRE

HAHALIS & KOUNOUPIS, P.C.
20 East Broad Street
Bethlehem, PA 18018

Apr. 27

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth for:

**SUMMER WINDS
POOL & SPA, INC.**

The corporation has been incorporated under the Pennsylvania

Business Corporation Law of 1988, as amended.

McFALL, LAYMAN
& JORDAN, P.C.

134 Broadway
Bangor, PA 18013

Apr. 27

**FICTITIOUS NAME
REGISTRATION NOTICES**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act 295 of 1982 of intention to file, or the filing of, in the Office of the Secretary of the Commonwealth, at Harrisburg, Pennsylvania, a certificate for the conduct of a business in Pennsylvania, under the assumed or fictitious name, style or designation of:

**BARRY KUNSMAN
SIDING & ROOFING**

with its principal place of business at: 2759 Valley View Road, Hellertown, Pennsylvania 18055.

The entity owning or interested in the said business is: Barry Kunsman and Son Siding and Roofing, Inc., 2759 Valley View Road, Hellertown, Pennsylvania 18055.

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

Apr. 27

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

JoDi Carrier Services

with its principal place of business at: 248 Monocacy Drive, Bath, PA 18014.

The name and address of the person owning or interested in said business: John D. Barlip, 248 Monocacy Drive, Bath, PA 18014.

The certificate was filed on April 4, 2006.

DANIEL G. SPENGLER, ESQUIRE
110 East Main Street
Bath, PA 18014

Apr. 27

NOTICE IS HEREBY GIVEN that Frank Febbo of Northampton County, PA has filed with the Pennsylvania Department of State an application for a certificate to do business under the assumed or fictitious name of:

**TIMESHARE RESALE
VACATIONS**

said business to be carried on at: 178 Epps Street, Wind Gap, PA 18091.

Apr. 27

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act 295 of 1982, as amended, of intention to file, or the filing of, in the Office of the Secretary of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania, a certificate for the conduct of business in Pennsylvania, under the assumed or fictitious name, style or designation of:

**WHITE EAGLE HOME REPAIR
AND RENOVATION**

with principal place of business at: 563 Grand Ave, Bangor, PA 18013.

The name of the person owning of interested in said business is: Edmund Wojtkowski, Jr. The certificate was filed on April 6, 2006.

Apr. 27

**NOTICE OF NONPROFIT
INCORPORATION**

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State, Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on March 31, 2006 with a proposed non-profit corporation formed pursuant to the provisions of the Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the corporation is:

**LongRidge Condominium
Association**

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

Apr. 27

**FOREIGN CORPORATION
NOTICES**

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority was filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, on March 22, 2006 for the purpose of obtaining a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended (15 Pa.C.S. §1306). The name of the foreign corporation is:

Floor Master Plus, Inc.

HARRY NEWMAN, ESQUIRE
HARRY NEWMAN &
ASSOCIATES, P.C.
3897 Adler Place
Suite 180C
Bethlehem, PA 18017

Apr. 27

NOTICE IS HEREBY GIVEN that
Residential Home Mortgage Cor-

poration, a foreign corporation formed under the laws of the State of New Jersey, with its principal offices at: 65 Old Highway 22, Suite 3, Clinton, NJ 08809, has filed with the Department of State of the Commonwealth of Pennsylvania for a Certificate of Authority, pursuant to the Pennsylvania Business Corporation Law of 1988, to do business as a for-profit corporation in the Commonwealth of Pennsylvania at: 400 Northampton Street, Suite 600-602, Easton, PA, 18042, which address is the proposed registered office in the Commonwealth of Pennsylvania and shall be deemed for venue and official publication purposes to be located in Northampton County.

Apr. 27

**NOTICE OF PUBLIC HEARING
EAST ALLEN TOWNSHIP**

A public hearing will be held by the Board of Supervisors of East Allen Township to receive public comment concerning the proposed enactment by East Allen Township of the "Nazareth Area ... 2030 Multimunicipal Comprehensive Plan" which was prepared for the Nazareth Area Council of Governments by the Lehigh Valley Planning Commission.

The public hearing will be held on May 18, 2006 at 7:00 p.m. at the East Allen Township Municipal Building at 5344 Nor-Bath Boulevard, East Allen Township, Pennsylvania 18067.

LEESON, LEESON & LEESON
Attorneys at Law
Solicitors for East Allen Township
70 East Broad Street
P.O. Box 14526
Bethlehem, PA 18016-1426

Apr. 27

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

NOTICE OF

CONDEMNATION ACTION

In Re: Condemnation Proceedings of a Right-of-way Easement over a Portion of Property Commonly known as Northampton County Tax Parcel Identifier Number C 12 1 1 0127

Portland, Pennsylvania, by the Borough of Portland for a Sewer System Project

No. C0048cv2006000937

IN REM PROCEEDING

TO: MARY JEWELL, HER HEIRS AND ASSIGNS, AND ALL OTHER INTERESTED PERSONS

NOTICE TO CONDEMNEE
OF FILING OF

DECLARATION OF TAKING

In accordance with Section 405 of the Eminent Domain Code, 26 P.S. §1-405, the Borough of Portland, Northampton County, Pennsylvania, notifies you that:

1. A Declaration of Taking was filed on February 9, 2006, in the Court of Common Pleas of Northampton County at the above-named term and number condemning a right of way easement over property owned by you.

2. The Condemnor is the Borough of Portland, having an address of Portland Municipal Building, 206 Division Street, Bangor, PA 18351.

3. This Condemnation action is authorized by Eminent Domain Code, 26 P.S. § 1-101 et. seq. and §1501 of the Borough Code of 1966, as amended (the "Borough Code"), 53 P.S. §46501, and the Borough Code, generally, 53 P.S. §45001 et. seq.

4. The Declaration of Taking was authorized by Resolution approved by the Borough of Portland on February 6, 2006. The Resolution can also be examined at the address of the Condemnor.

5. The purpose of the condemnation is to construct a Sewage System in the Borough of Portland, and specifically the laying of a sewer line.

6. Condemnor condemns:

a. A Right-of-Way Easement (the "Condemned Easement") over a portion of property located at Northampton County Tax Parcel Identifier N C12 1 1 0127, owned by Mary Jewell, as more specifically described in Northampton County Deed Book Volume E-65, page 38 (the "Property"). The Condemned Easement is both permanent and temporary in scope. The permanent easement is 367 sq. ft. in size. The temporary easement is an additional 203 sq. ft. The temporary easement is for the period of construction, but in any event no less than 18 months.

b. A plan (the "Plan") delineating the Condemned Easement and the relation of the Condemned Easement to the overall Property is depicted on the plan attached to the Declaration of Taking.

7. Title acquired by the Borough of Portland shall be a Right-of-Way Easement as delineated in the Plan, to provide the Borough the right to erect, construct, install and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove, a sanitary sewer line over, across and through the depicted easement, as depicted, and together with right of ingress and egress over the property for purposes of the easement.

8. The Plan showing the Condemned Easement may be inspected at the address of Condemnor.

9. Under §403(b) of the Eminent Domain Code, 26 P.S. §1-403(b). The power of taxation granted to the Borough of Portland by the State Legislature is sufficient to secure just compensation for the appropriation of the Condemned Easement described herein, whereupon the funds raised or lawful to be so raised, by the power of taxation of the Condemnor shall be deemed pledged and made security for payment of damages as shall be determined by law.

If you wish to challenge the power or right of the Borough of Portland to appropriate the Condemned Easement, the sufficiency of this security, the procedure followed by the Condemnor, or the Declaration of Taking, you are required to file preliminary objections within thirty (30) days after being served with this Notice of Condemnation.

MICHAEL A. GAUL, ESQUIRE

Attorney I.D. No. 70987

KING, SPRY, HERMAN,

FREUND & FAUL

Solicitors for the

Borough of Portland

One West Broad Street

Suite 700

Bethlehem, PA 18018

Apr. 27

NOTICE

Busy General Litigation Firm seeks candidate with 0-2 years experience. Salary commensurate with experience. Send resume to Strubinger Law Offices, P.C., P.O. Box 158, Palmerton, PA 18071

Apr. 27; May 4

**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 Goepp 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 Con-

dominium 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 message, 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. Realty 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 Free-

dom 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 message 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 Westerly of the centerline thereof, South 09 degrees 01 minute East 114.39 feet to a point; the place of beginning.

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

Koehler and Eva M. Koehler, His wife.

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

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

BEING KNOWN AS 1200 Tatamy Road, Easton, Pennsylvania.

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

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

KRISTINE M. ANTHOU, ESQUIRE

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

Parcel A

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 a map and survey thereof dated June, 1955, made by Michael A. Policelli, Registered Engineer, 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 Bandholtz 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 public road North 64° 11' West 100.0 feet to the place of Beginning, said place of Beginning being also a corner of land of Albert R. Kearney, Jr. Containing 1.15 acres.

Parcel B

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 a survey and map thereof dated February, 1958, made by Theodore K. Rothermund, Registered Engineer, as follows:

Beginning at an iron pin in the public road which runs from Portland to Totts Gap, which pin is the northeast corner of the lands of Grantor; thence along the said public road North 64° 11' West a distance 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,
ESQUIRE

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

ALL of that certain message, tenement and lot of piece of ground situate on the east side of Wyan-

dotte Street, in the City of Bethlehem, County of Northampton and State of 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: QuitClaim 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 messuage 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 de-

grees 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, Pennsylva-

nia. 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, Commonwealth 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 ERECTED a two story one-half of a double dwelling 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 de-

grees 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 ERECTED 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 ERECTED 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 message, tenement and lot or piece of ground situ-

ate 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 east-

erly 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 field-stone 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. 43

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

ALL THAT CERTAIN lot or piece of land with the message 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. Detweiler 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. 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 messuage 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 de-

grees 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



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ESTATE, DIVORCE, LITIGATION



Easton Catholic School's
2nd Annual Golf Outing

Friday, May 19th, 2006

Riverview Country Club, 1pm Start, 6pm Buffet
\$95/golfer, \$100/hole, Registration Due May 5th

Info: 610-252-1393, ext.11

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**HOLLY V. CALANTONI, Plaintiff v. BETHLEHEM AREA
SCHOOL DISTRICT and STEPHANIE PELUSO, Defendants**

*Motion for Summary Judgment—Political Subdivision Tort Claims Act—
Sovereign Immunity—Vehicle Liability Allegation of Permanent Loss of
Bodily Function, Permanent Disfigurement or Permanent Dismemberment.*

The court denied the defendants' Motion for Summary Judgment. The plaintiff was injured in an accident when her vehicle swerved to avoid a bus driven by the defendant, Stephanie Peluso, and owned by the defendant, Bethlehem Area School District. The plaintiff alleged that the vehicle exception to sovereign immunity, 42 Pa.C.S. §8542(b)(1), applied, and that she suffered permanent loss of bodily function, permanent disfigurement, and past and future loss of earnings. The plaintiff produced her medical records and other "independent" evidence indicating that some of her injuries may be permanent in nature. As such, following the principles established by the Pennsylvania Supreme Court in *Walsh v. City of Philadelphia*, 526 Pa. 227, 585 A.2d 445 (1991) and by the Commonwealth Court in *Laich v. Bracey*, 776 A.2d 1022 (Pa. Commw. 2001) and *Alexander v. Benson*, 812 A.2d 785 (Pa. Commw. 2002), the court held that a genuine issue of material fact existed as to whether the plaintiff suffered a permanent loss of bodily function or a permanent disfigurement.

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C0048CV2001-1725.

Order of the Court denying the defendants', Bethlehem Area School District and Stephanie Peluso's, Motion for Summary Judgment.

JOHN R. VIVIAN, ESQUIRE and BARBARA R. REINKERT, ESQUIRE, for the plaintiff.

MAUREEN A. JORDAN, ESQUIRE, for the defendants.

Order of the Court entered on February 1, 2005 by SMITH, J.

ORDER

AND NOW, this 1st day of February, 2005, following review of the defendants, Bethlehem Area School District and Stephanie Peluso's Motion for Summary Judgment and the plaintiff, Holly V. Calantoni's response thereto, it is hereby ORDERED that Defendants' Motion for Summary Judgment is DENIED.

STATEMENT OF REASONS

I. Factual and Procedural History

On March 9, 2001, the plaintiff, Holly V. Calantoni, filed a Writ of Summons against the defendants, Bethlehem Area School District and Stephanie Peluso. After conducting pre-complaint discovery, the plaintiff filed her Complaint on February 19, 2002, alleging various acts of negligence arising out of an automobile accident. In response to Preliminary

Objections filed by the defendants, the plaintiff filed an Amended Complaint on March 15, 2002. According to the plaintiff's Amended Complaint, on or about May 4, 1999, at approximately 2 p.m., the plaintiff was operating her motorcycle. The plaintiff was traveling north on Main Street at or near Lockhouse Road in Freemansburg, Northampton County. At the same date and time, defendant, Stephanie Peluso, was operating a school bus owned by defendant, Bethlehem Area School District.¹ The school bus operated by Peluso was proceeding south on Main Street in Freemansburg.

As the plaintiff rounded a curve on Main Street, the plaintiff encountered the school bus traveling toward her in the plaintiff's lane of travel. At this time, the plaintiff attempted to avoid colliding with the school bus by applying her brakes and steering to the right, but in her attempt to avoid the collision, she lost control of the motorcycle and fell to the ground. The plaintiff alleges that the school bus left the scene without stopping and without rendering aid to the plaintiff, who alleges she suffered serious bodily injury because of her collision with the ground.

On June 21, 2002, the defendants filed an Answer denying the plaintiff's allegations and, in New Matter, asserted various defenses, including the defense of governmental immunity under the Political Subdivision Tort Claims Act ("PSTCA"), 42 Pa.C.S. §8541, *et seq.* After completing discovery, the defendants filed a Motion for Summary Judgment on December 7, 2004, claiming they are immune from suit under the PSTCA. Defendants further claim that their conduct does not meet one of the exceptions to governmental immunity. Specifically, the defendants first contend that the plaintiff can only recover pain and suffering damages against a governmental entity in a tort action "in cases of permanent loss of a bodily function, permanent disfigurement or permanent dismemberment." 42 Pa.C.S. §8553(c)(2)(ii). In the instant case, the defendants allege that the plaintiff has failed to produce any evidence to demonstrate a permanent loss of a bodily function or permanent disfigurement. In support of their motion, the defendants cite portions of the plaintiff's deposition testimony and medical records indicating that she merely has some pain in her left leg, but that she runs, plays tennis, swims, and gardens, just as she did before the accident. Furthermore, the defendants note that although the plaintiff's "independent medical examination" revealed mild atrophy of her left calf and 3 mm to 5 mm of limb shortening of her left leg, the atrophy to her left calf can be relieved with an exercise program and the limb shortening will not have any future consequences. The defendants also argue that the plaintiff's claims for past and future lost wages are unsupported by any evidence in the record.

On December 21, 2004, the plaintiff filed a response to the defendants' Motion for Summary Judgment. The plaintiff claims that she suf-

¹ Defendant Stephanie Peluso is employed by the Bethlehem Area School District.

ferred various serious and permanent personal injuries, serious impairment of body function and permanent serious disfigurement as a result of the accident. According to the plaintiff's Amended Complaint, her injuries include: a spinal comminuted fracture of the distal end of her left tibia, leg pain, and contusions and abrasions of her left leg. The defendants have submitted the plaintiff's medical records to this court with their Memorandum of Law in support of their Motion for Summary Judgment.

II. Discussion

A. Summary Judgment

Defendants move for summary judgment, claiming that the plaintiff has not established a permanent loss of a bodily function or permanent disfigurement necessary to satisfy the exception to governmental immunity under 42 Pa.C.S. §8553(c)(2)(ii). Additionally, the defendants claim that the plaintiff's claims for past and future wage losses are unsupported by the record. According to the Pennsylvania Rules of Civil Procedure, summary judgment is properly granted where no genuine issue as to any material fact exists and the moving party is entitled to judgment as a matter of law. Pa. R.C.P. 1035.2; *O'Brien Energy Systems Inc. v. American Employers' Insurance Co.*, 427 Pa. Super. 456, 461, 629 A.2d 957, 960 (1993), *appeal denied*, 537 Pa. 633, 642 A.2d 487 (1994). The grant of summary judgment is proper where the pleadings, depositions, answers to interrogatories, admissions, and affidavits support a conclusion that no genuine issue of material fact exists and that the moving party is entitled to judgment as a matter of law. *Penn Center House Inc. v. Hoffman*, 520 Pa. 171, 175, 553 A.2d 900, 902 (1989).

Further, summary judgment is appropriate only in those cases which are clear and free from doubt. *Lyman v. Boonin*, 535 Pa. 397, 404, 635 A.2d 1029, 1032 (1993). The record must be viewed "in the light most favorable to the non-moving party, and all doubts as to the existence of a genuine issue of material fact must be resolved against the moving party." *Ertel v. Patriot-News Co.*, 544 Pa. 93, 98-99, 674 A.2d 1038, 1041 (1996) (citing *Pennsylvania State University v. County of Centre*, 532 Pa. 142, 144-45, 615 A.2d 303, 304 (1992)). Pennsylvania Rule of Civil Procedure 1035.2 states that a party may move for summary judgment where "an adverse party who will bear the burden of proof at trial has failed to produce evidence of facts essential to the cause of action or defense which in a jury trial would require the issues to be submitted to a jury." Pa. R.C.P. 1035.2. A non-moving party may not avoid summary judgment by "rest[ing] upon the mere allegations or denials of his pleading." *Ertel*, *supra* at 100, 674 A.2d at 1041.² As the *Ertel* court further elucidated:

² In its decision, the Pennsylvania Supreme Court addressed the previous version of Pennsylvania Rule of Civil Procedure 1035.

Allowing non-moving parties to avoid summary judgment where they have no evidence to support an issue on which they bear the burden of proof runs contrary to the spirit of Rule 1035. We have stated that the ‘mission of the summary judgment procedure is to pierce the pleadings and to assess the proof in order to see whether there is a genuine need for a trial.’ ... We have a summary judgment rule in this Commonwealth in order to dispense with a trial of a case (or, in some matters, issues in a case) where a party lacks the beginnings of evidence to establish or contest a material issue.

Id. at 100, 674 A.2d at 1042 (internal citations omitted). As such, “a non-moving party must adduce sufficient evidence on an issue essential to his case and on which he bears the burden of proof such that a jury could return a verdict in his favor.” *Id.* at 101-102, 674 A.2d at 1042. “Failure to adduce this evidence establishes that there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law.” *Id.* at 102, 674 A.2d at 1042.

B. *Governmental Immunity*

The basis for the defendants’ Motion for Summary Judgment is governmental immunity. The Pennsylvania Legislature has specifically excluded local agencies from liability for tort claims arising from the acts of the local agency or its employees. According to the PSTCA, “[e]xcept as otherwise provided in this subchapter, no local agency shall be liable for any damages on account of any injury to a person or property caused by any act of the local agency or an employee thereof or any other person.” 42 Pa.C.S. §8541. Under the Judicial Code, a school district is defined as a local agency for purposes of governmental immunity. *Goldsborough v. Department of Education*, 133 Pa. Commonwealth Ct. 487, 494, 576 A.2d 1172, 1175-76 (1990), *aff’d*, 528 Pa. 588, 599 A.2d 645 (1991). The purpose behind the enactment of the PSTCA was to insulate political subdivisions from liability, except for injuries sustained to persons or property in accordance with one of the specific exceptions listed within the Act. *Mascaro v. Youth Study Center*, 514 Pa. 351, 355, 523 A.2d 1118, 1120 (1987). Thus, in construing the claim of the plaintiff under 42 Pa.C.S. §8553(c), we must “narrowly interpret” the section to promote the mandate of the legislature in limiting governmental liability. Accord *Love v. City of Philadelphia*, 518 Pa. 370, 374, 543 A.2d 531, 532 (1988).

Section 8542 provides exceptions to governmental immunity allowing a private party to maintain an action against a local agency if: (1) “[t]he damages would be recoverable under common law or a statute creating a cause of action,” and (2) “[t]he injury was caused by the negligent acts of the local agency or an employee thereof acting within the scope of his office or duties, excluding acts of crime, fraud, malice, or willful miscon-

duct.” 42 Pa.C.S. §8542. Additionally, to impose liability against the local agency, the plaintiff’s cause of action must fall under one of the specifically enumerated exceptions to immunity listed in section 8542(b).

In the instant case, the plaintiff alleged that the defendant, Stephanie Peluso, was driving a school bus owned by the other defendant, Bethlehem Area School District, at the time of the alleged incident. *See* Plaintiff’s Amended Complaint at ¶7. As such, the relevant exception in the instant case is the “vehicle liability” exception of section 8542(b)(1). Section 8542(b)(1) provides:

The following acts by a local agency or any of its employees may result in the imposition of liability on a local agency:

(1) Vehicle liability.—The operation of any motor vehicle in the possession or control of the local agency, provided that the local agency shall not be liable to any plaintiff that claims liability under this subsection if the plaintiff was, during the course of the alleged negligence, in flight or fleeing apprehension or resisting arrest by a police officer or knowingly aided a group, one or more of whose members were in flight or fleeing apprehension or resisting arrest by a police officer. As used in this paragraph, ‘motor vehicle’ means any vehicle which is self-propelled and any attachment thereto, including vehicles operated by rail, through water or in the air.

42 Pa.C.S. §8542(b)(1). Moreover, concerning the plaintiff’s possible recovery of damages, section 8553(c) provides that damages shall be recoverable only for: (1) past and future loss of earnings and earning capacity, and (2) pain and suffering in the following instances: (i) death, and (ii) only in cases of permanent loss of a bodily function, permanent disfigurement or permanent dismemberment where the medical and dental expenses referred to in paragraph (3) are in excess of \$1,500. 42 Pa.C.S. §8553(c).

In her Amended Complaint, the plaintiff claims permanent loss of bodily function, permanent disfigurement, and past and future loss of earnings. Concerning permanent loss of bodily function, the Pennsylvania Supreme Court in *Walsh v. City of Philadelphia*, 526 Pa. 227, 585 A.2d 445 (1991), stated that “[a] permanent loss of a bodily function means that the plaintiff, as a [proximate] result of the accident, can no longer perform a physical act or acts which she was capable of performing prior to injury proximately resulting from the accident, and that this loss of bodily function is permanent, that is that this loss of bodily function will exist for the remainder of her ... life.” *Id.* at 241, 585 A.2d at 452 (quoting *Savitt v. City of Philadelphia*, 557 F. Supp. 321, 328 (E.D. Pa. 1983)).

The *Walsh* court also adopted Black’s Law Dictionary’s definition of “permanent” and “disfigurement” to describe permanent disfigurement. It defined permanent as “[c]ontinuing or enduring in the same state, status,

place, or the like, without fundamental change, not subject to fluctuation, or alteration, fixed or intended to be fixed; lasting; abiding; stable; not temporary or transient[.]” and disfigurement as “[t]hat which impairs or injures the beauty, symmetry, or appearance of a person or thing; that which renders unsightly, misshapen, or imperfect, or deforms in some manner.” *Id.* at 243, 585 A.2d at 453. These definitions—of “permanent loss of bodily function” and “permanent disfigurement”—necessarily rely on factual determinations.

In *Laich v. Bracey*, 776 A.2d 1022 (Pa. Commw. 2001), the Commonwealth Court of Pennsylvania reversed a common pleas court’s grant of summary judgment, finding a genuine issue of material fact as to whether injuries constituted “permanent loss of bodily functions” under *Walsh*. In *Laich*, Ms. Laich was exiting a school bus when it was hit from behind by a minivan, which was owned by Bucks County Intermediate Unit and driven by Ms. Bracey. *Id.* at 1023. The Bucks County Court of Common Pleas granted summary judgment in favor of defendants Bucks County Intermediate Unit and Bracey, finding that no genuine issue of material fact existed. *Id.* The trial court concluded that the plaintiff’s experts failed to opine with any degree of probability that she suffered a permanent loss of bodily function. *Id.* at 1023-24. According to the Commonwealth Court, “[w]hile we agree that one may reasonably argue that these ailments do not meet the standard set forth by our Supreme Court in *Walsh*, we nevertheless believe that this case presents a question of fact more appropriately addressed by a jury.” *Id.* at 1025 (footnote omitted). The court noted that the plaintiff presented reports from numerous medical experts showing that she suffered some injury as a result of the accident. Furthermore, according to the Commonwealth Court, “if given the opportunity, [plaintiff] will undoubtedly testify at trial as to the extent of her injuries and the performance of her bodily functions both before and after the accident.” *Id.* The court noted that had the trial court viewed the record in the light most favorable to the plaintiff, it would have properly concluded that an issue of material fact existed as to whether the plaintiff suffered a permanent loss of bodily function. *Id.*

Moreover, in *Alexander v. Benson*, 812 A.2d 785 (Pa. Commw. 2002), the Commonwealth Court of Pennsylvania opined that “[r]ecently, both our Supreme Court and Superior Court reiterated the principle that certain essential determinations, including whether a plaintiff suffered a compensable injury and the extent of such an injury, are strictly within the purview of a jury.” *Id.* at 788 (citing *Davis v. Mullen*, 565 Pa. 386, 773 A.2d 764 (2001) and *Majczyk v. Oesch*, 789 A.2d 717 (Pa. Super. 2001)). In *Alexander*, the Commonwealth Court refused to disturb a jury’s finding that, although the plaintiff had a four millimeter permanent scar, his injury did not constitute a “permanent disfigurement” to entitle him to damages from a local government agency. The court explained that the determination of whether

the plaintiff had a permanent disfigurement “was strictly within the jury’s purview.” *Id.*

We note, as the court did in *Laich*, that one may reasonably argue that the injuries sustained by the plaintiff in this matter do not rise to the level of permanent loss of bodily functions or permanent disfigurement. However, the plaintiff’s medical records and the medical records from the “independent medical examination” indicate that some of the plaintiff’s injuries may be permanent in nature. When viewed in the light most favorable to the plaintiff, we believe an issue of material fact exists regarding whether the plaintiff’s injuries are permanent. Accordingly, summary judgment is inappropriate in this case.

Concerning the plaintiff’s claim for lost earnings, the plaintiff presented testimony that she agreed to pay Thomas Houser \$850.00 per week to monitor her law practice. Additionally, she attested that she paid a retired secretary, Nancy Ronco, \$3,500.00 to perform secretarial work in her office for ten weeks. The defendants point out that the plaintiff has not paid Mr. Houser for his work; that she did not declare any business losses on her 1999 tax records, and; that the medical records indicate that no physician placed a limitation on the plaintiff’s future work activities. Nonetheless, as the plaintiff states in her Brief in Opposition to the defendants’ Motion for Summary Judgment, these details involve interpretation of the evidence and determinations of credibility, which are for the jury to decide.

III. Conclusion

In light of the principles set forth by the Pennsylvania Supreme Court and Commonwealth Court, and the record before this court, we cannot conclusively determine that there exists no genuine issue of material fact as to whether the plaintiff suffered a permanent loss of bodily function or a permanent disfigurement. When viewing the evidence in the light most favorable to the plaintiff, including the medical records produced and the plaintiff’s own testimony, we conclude that an issue of material fact exists as to whether the plaintiff suffered a permanent loss of bodily function or a permanent disfigurement. Additionally, an issue of material fact exists as to whether the plaintiff has suffered any past or future lost wages because of the accident. To find otherwise would force this court to make a credibility determination that is more appropriate within the purview of a jury. Accordingly, the issues of whether the plaintiff suffered such injuries and the extent of the plaintiff’s recoverable damages is a question for the jury and the defendants’ Motion for Summary Judgment is denied.

MAY 2006 COURT CALENDAR

MON	TUE	WED	THU	FRI
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		

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