

Northampton County Reporter

(USPS 395-280)

VOL. LIV

EASTON, PA May 18, 2006

NO. 72

Wilson Area School District, Plaintiff v. Franklin E. Skepton, Safeco Insurance Company of America, Breslin Ridyard Fadero and Duggan and Marcon, Inc., and R.A. Tauber, Inc., Defendants and W.N. Russell & Company, Morgan Company, Inc. and Continental Cast Stone East By Russell, Additional Defendants

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INSERT: Goldenrod: 1. 2006 Calendar of Events

2. "Settling a Workers' Compensation Case Issues to Consider—Social Security, Subrogation and Related Matters"
3. Walk for a Healthy Community
4. Save the Dates! for the Summer Outing and 2006 Bench Bar Conference
- Cream: 1. "Bankruptcy Tidbits for the General Practitioner in the Aftermath of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005"
2. "Family Law for the Non-Family Law Practitioner"
3. "The Leveraged Buyout"
4. PBI/CLE Seminars—NCBA Office—July-November, 2006

NOTICE TO THE BAR ...

Mark your calendar
NCBA Summer Outing—Thursday, July 20, 2006
Louise Moore Park

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

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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

IN MEMORIAM

Edward G. Ruyak, Esquire

Admitted to NCBA: December 7, 1949 Died: May 16, 2006

A Mass of Christian Burial will be held at 10:00 a.m. Friday, May 19, 2006

St. Anne's Catholic Church, 450 Washington Avenue, Bethlehem

Visitation will be held 7:00-9:00 p.m. Thursday, May 18
and 9:00-9:30 a.m. Friday

Pearson Funeral Home, 1901 Linden Street, Bethlehem

Friday morning—meet outside the church at 9:45 a.m. to enter together.

Memorials may be made to:

St. Anne's Catholic Church, 450 Washington Ave, Bethlehem, PA 18017
or American Heart Association, 212 E. Broad Street, Bethlehem, PA 18018

INCLUDED IN THIS ISSUE:

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

“Settling a Workers’ Compensation Case Issues to Consider—
Social Security, Subrogation and Related Matters”—Thursday, June
1, 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

“Family Law for the Non-Family Law Practitioner”—Thursday,
June 15, 2006

“The Leveraged Buyout”—Wednesday, June 21, 2006

- NCBA Calendar of Events, Committee Meeting schedule and PBI programs
- YLD Event—Walk for a Healthy Community—see insert for more information.

Experience is the name everyone gives to his mistakes.—Oscar Wilde

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**ANAGNOST, MARIE A.,** dec'd.

Late of the Township of Palmer, Northampton County, PA
Co-Executors: Jennie Ambrose and David W. Anagnost c/o David J. Ceraul, Esquire, 22 Market Street, P.O. Box 19, Bangor, PA 18013-0019

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

BOHONOS, ANNA, dec'd.

Late of 4193 Mountain View Drive, Walnutport, Lehigh Township, Northampton County, PA

Administratrix: Mrs. Linda K. Taras, 4193 Mountain View Drive, Walnutport, PA 18088
Attorneys: Gerald F. Strubinger, Jr., Esquire, Strubinger Law Offices, P.C., 505 Delaware Avenue, P.O. Box 158, Palmerton, PA 18071

COLE, MARGUERITE, dec'd.

Late of the Township of Bushkill, Northampton County, PA
Executrix: Elaine Beil, 101 Peggy Lane, Nazareth, PA 18064

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

FRIEDMAN, ROSEMARIE, dec'd.

Late of the City of Easton, Northampton County, PA
Administrator C.T.A.: David Schiller c/o Daniel E. Cohen, Attorney, Laub, Seidel, Cohen, Hof & Reid, L.L.C., 8 Centre Square, Easton, PA 18042

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

GAHN, EDNA, dec'd.

Late of the Township of Forks, Northampton County, PA
Executrix: Lillian Gioia c/o Daniel E. Cohen, Attorney, Laub, Seidel, Cohen, Hof & Reid, L.L.C., 8 Centre Square, Easton, PA 18042

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

HOLECZ, MICHALINA J., dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executor: Michael Delvecchio c/o Joseph J. Piperato, III, Esquire, Benner & Piperato, 2005 City Line Road, Suite 106, Bethlehem, PA 18017

Attorneys: Joseph J. Piperato, III, Esquire, Benner & Piperato, 2005 City Line Road, Suite 106, Bethlehem, PA 18017

LAMBERT, JULIA, dec'd.

Late of Bangor, Northampton County, PA

Executor: Thomas J. Lambert,
786 Sunset Drive, Bangor, PA
18013

Attorney: John J. McGee, Es-
quire, 9 S. 8th Street, Strouds-
burg, PA 18360

LEWIS, CHARLOTTE, dec'd.

Late of the City of Bethlehem,
Northampton County, PA
Executor: George L. Lewis
c/o Bradford D. Wagner, Es-
quire, 662 Main Street, Helli-
ertown, PA 18055-1726

Attorney: Bradford D. Wagner,
Esquire, 662 Main Street,
Hellertown, PA 18055-1726

**LICHTENWALNER, RUSSELL
R., SR.**, dec'd.

Late of the Borough of Heller-
town, Northampton County,
PA

Executor: Russell R. Lichten-
walner, Jr. c/o Bradford D.
Wagner, Esquire, 662 Main
Street, Hellertown, PA 18055-
1726

Attorney: Bradford D. Wagner,
Esquire, 662 Main Street,
Hellertown, PA 18055-1726

SMITH, LESTER L., dec'd.

Late of the Borough of Bangor,
Northampton County, PA

Executors: Keith Smith, 486
East Lawn Road, Nazareth, PA
18064 and Patricia Smale, 212
W. George Street, Pen Argyl,
PA 18072

Attorneys: Alyssa Lopiano-
Reilly, Esquire, Zito, Martino
and Karasek, 641 Market
Street, Bangor, PA 18013

SNIK, JOHN W., dec'd.

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

Executor: Peter N. Snik c/o
McFall, Layman & Jordan,

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

**SODAITIS, ANITA S. a/k/a
ANITA SODAITIS**, dec'd.

Late of the Township of Pal-
mer, Northampton County, PA
Executor: Robert N. Sodaitis
c/o Theresa Hogan, Esquire,
Attorney-at-Law, 340 Spring
Garden Street, Easton, PA
18042

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

WILKINS, JANICE R., dec'd.

Late of the Borough of Wil-
son, Northampton County, PA
Executor: David H. Miller, 400
Northampton Street, Suite
507, Easton, PA 18042

Attorneys: William P. Coffin,
Esquire, Coffin, Durnin & As-
sociates, 100 North Fourth
Street, Easton, PA 18042

SECOND PUBLICATION

BARLIEB, MILDRED M., dec'd.

Late of Moore Township,
Northampton County, PA
Executrix: Bonnie Nordquist,
3230 Coplay Street, Whitehall,
PA 18052

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

**BERMAN, FREDERICK J.
a/k/a FREDERICK JOSEPH
BERMAN**, dec'd.

Late of Bethlehem, Northamp-
ton County, PA

Executrix: Charlotte I. Ber-
man c/o Timothy J. Duck-

worth, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770

Attorneys: Timothy J. Duckworth, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770

BINDER, RUTH M., dec'd.

Late of Lehigh Township, Northampton County, PA
Co-Executrices: Judith Ann Frankel and Cynthia K. Meltsch c/o Frank M. Skrapits, Esquire, Affiliated with Steckel and Stopp, 2152 Main Street, Northampton, PA 18067-1211

BROWN, ROSE M., dec'd.

Late of the Borough of Wind Gap, Northampton County, PA

Executor: Ralph Smith, 3167 W. Scenic Drive, Danielsville, PA 18038

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

CAMPF, MAY A. a/k/a MAY CAMPF, dec'd.

Late of the City of Easton, Northampton County, PA

Administrator: Barry F. Campf c/o Carla J. Thomas, Esquire, Thomas & Thomas, 704 Washington Street, Easton, PA 18042

Attorneys: Carla J. Thomas, Esquire, Thomas & Thomas, 704 Washington Street, Easton, PA 18042

CARR, EMILIE E., dec'd.

Late of the Township of Palmer

Executor: John Gallagher c/o Peter E. Moore, Esquire,

Narducci, Moore, Fleisher & Roeberg, LLP, 589 Skippack Pike, Suite 300, Blue Bell, PA 19422

Attorney: Peter E. Moore, Esquire, Narducci, Moore, Fleisher & Roeberg, LLP, 589 Skippack Pike, Suite 300, Blue Bell, PA 19422

COPE, ALBERT H., dec'd.

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

Executrix: Shirley J. Cope c/o David J. Ceraul, Esquire, 22 Market Street, P.O. Box 19, Bangor, PA 18013-0019

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

DEMPSTER, THOMAS, JR., dec'd.

Late of Nazareth, Northampton County, PA

Administrator: Thomas Dempster, III c/o George M. Dempster, Esquire, Fenningham, Stevens & Dempster, LLP, Suite 315, Five Neshaminy Interplex, Trevoise, PA 19053
Attorneys: George M. Dempster, Esquire, Fenningham, Stevens & Dempster, LLP, Suite 315, Five Neshaminy Interplex, Trevoise, PA 19053

FISHER, HENRY C., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Co-Administrators: Edward F. Fisher and Elizabeth L. Browder c/o Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

Attorney: Bradford D. Wagner,
Esquire, 662 Main Street,
Hellertown, PA 18055-1726

GREEN, JUDITH ELAINE
a/k/a JUDITH E. GREEN,
dec'd.

Late of Bethlehem, Northamp-
ton County, PA

Executrix: Melanie Mouras
c/o Nicholas E. Englessen,
Esquire, 740 Main Street,
Bethlehem, PA 18018

Attorney: Nicholas E. Engles-
son, Esquire, 740 Main Street,
Bethlehem, PA 18018

HACKMAN, HERMAN R., SR.,
dec'd.

Late of 3679 Old Philadelphia
Pike, Bethlehem, Northamp-
ton County, PA

Executor: Herman R. Hack-
man, Jr., 3679 Old Philadel-
phia Pike, Bethlehem, PA
18015

Attorneys: William J. Mc-
Carthy, III, Esquire, McCarthy
Law Offices, 1319 Main Street,
Hellertown, PA 18055-1352

HARTZELL, HAROLD C., dec'd.

Late of the Borough of Nazar-
eth, Northampton County, PA
Executor: Terry A. Hartzell,
870 Cattell Street, Easton, PA
18042-1575

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

HOLDEN, RONALD HUGH
a/k/a RONALD H. HOLDEN,
dec'd.

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

Executrix: Harriet Ash c/o
Joel H. Ziev, Esquire, 700

Washington Street, Easton, PA
18042

Attorney: Joel H. Ziev, Es-
quire, 700 Washington Street,
Easton, PA 18042

KLAUSEN, ESTHER OLGA
a/k/a ESTHER O. KLAUS-
EN, a/k/a ESTHER K.
MONTZ, dec'd.

Late of Bethlehem, Northamp-
ton County, PA

Executrix: Norma A. Beck, 217
Georgia Avenue, Bethlehem,
PA 18017

LAWLEY, ANN J., dec'd.

Late of Moore Township,
Northampton County, PA

Co-Executors: William Lawley,
40 Sandy Hill Road, Boyer-
town, PA 19512 and Kathleen
M. Arduini, 340 N. Whitfield
Street, Nazareth, PA 18064

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

MATUSIK, LUCRETIA M.
a/k/a LUCRETIA MATUSIK,
dec'd.

Late of Walnutport, North-
ampton County, PA

Executrix: Eileen Miller
a/k/a Eileen Mae Balliet, 447
Princeton Ave., Palmerton, PA
18071

Attorneys: Charles W. Stopp,
Esquire, Steckel and Stopp,
125 S. Walnut Street, Suite
210, Slatington, PA 18080

OTT, LORETTA I., dec'd.

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

Co-Administratrices: Beatrice
M. Bryfogle and Martha L.
Thomas c/o David J. Ceraul,
Esquire, 22 Market Street, P.O.

Box 19, Bangor, PA 18013-0019

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

PAUL, MARGARET A., dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrices: Ruby Knerr, 1546 Creek Road, Pitman, PA 17964 and Carole J. Maurer, 207 W. Walnut Street, Valley View, PA 17983

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

REIBMAN, JEANETTE F., dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Edward D. Reibman c/o Noonan & Prokup, 526 Walnut St., Allentown, PA 18101

Attorneys: Noonan & Prokup, 526 Walnut St., Allentown, PA 18101

REICHARD, MILDRED W., dec'd.

Late of The Borough of Wilkeson, Northampton County, PA

Co-Executrices: Doris M. Wilkinson and Jean L. Webster 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

THIRD PUBLICATION

BARAN, VERONICA B., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Michael Baran c/o Mary Ann Snell, Esquire, Suite 311, 3400 Bath Pike, Bethlehem, PA 18017

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

GERENSER, HERMINA P., dec'd.

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

Executrix: Lisa T. Alexander, HC #1 Box 122A, 3 Sand Court, Paupack, PA 18451

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

GORCSAN, HELEN, dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Michael J. Seibert c/o William H. Dayton Jr., Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770

Attorneys: William H. Dayton Jr., Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770

GUSTITUS, CHARLES J., dec'd.

Late of Northampton, Northampton County, PA

Executrix: Kathleen Seagreaves c/o James R. Wishchuk JD, 2310 Walbert Avenue, Suite 103, P.O. Box 4446, Allentown, PA 18105-4446

Attorney: James R. Wishchuk, JD, 2310 Walbert Avenue, Suite 103, P.O. Box 4446, Allentown, PA 18105-4446

HUFF, HARRY T., dec'd.

Late of the Township of Palmer, Northampton County, PA
Co-Executors: Sheila M. Leiderman and James A. Huff
c/o Joel H. Ziev, Esquire, 700 Washington Street, Easton, PA 18042

Attorneys: Joel H. Ziev, Esquire, 700 Washington Street, Easton, PA 18042

KOELSCH, AGNES E., dec'd.

Late of Northampton County, PA

Executrix: Dorothy Koelsch Niklos c/o Stephen M. Mowrey, Esquire, 4501 Bath Pike, Bethlehem, PA 18017

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

KROENING, CHARLOTTE DOROTHY a/k/a DOROTHY CHARLOTTE KROENING, dec'd.

Late of Upper Nazareth Township, Northampton County, PA

Executor: Charles S. Smith, Esquire, 340 Dogwood Terrace, Easton, PA 18042

KUCHTA, JEFFREY L., dec'd.

Late of Bath, Northampton County, PA

Executrix: Jennifer Kuchta c/o Robert Glazer, Esquire, McLaughlin & Glazer, 800 Walnut Street, Easton, PA 18042-4381

Attorneys: Robert Glazer, Esquire, McLaughlin & Glazer, 800 Walnut Street, Easton, PA 18042-4381

LAZARO, JOSEPH C., dec'd.

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

Executor: Margaret V. Lazaro c/o Nicholas R. Sabatine, III, Esquire, 16 S. Broadway, Wind Gap, PA 18091.

Attorney: Nicholas R. Sabatine, III, Esquire, 16 S. Broadway, Wind Gap, PA 18091.

PFEFFER, WILLIAM C., JR., dec'd.

Late of the Township of Plainfield, Northampton County, PA
Co-Executors: Mrs. Nancy L. Pfeffer, and William Pfeffer, III 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

PINTANDE, FRANCES J., dec'd.

Late of the City of Easton, Northampton County, PA
Executor: Joseph J. Pintande, IV 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

SANSONE, MARGARET A., dec'd.

Late of 8652 North Delaware Drive, Bangor, Northampton County, PA

Executor: Robert L. Muller c/o Dorota Gasienica-Kozak, Esquire, King Spry Herman Freund & Faul LLC, One West

Broad Street, Suite 700,
Bethlehem, PA 18018

Attorneys: Dorota Gasienica-
Kozak, Esquire, King Spry
Herman Freund & Faul LLC,
One West Broad Street, Suite
700, Bethlehem, PA 18018

SHIPMAN, PAMELA K., dec'd.

Late of the Borough of Wal-
nutport, Northhampton
County, PA

Executor: David A. Shipman,
1158 Pecan Lane, Walnutport,
PA 18088

Attorneys: James A. Wimmer,
Esquire, Philip & Wimmer, 419
Delaware Avenue, P.O. Box
157, Palmerton, PA 18071

SNYDER, DONALD T., dec'd.

Late of the Borough of Naza-
reth, Northampton County,
PA

Co-Executrices: Suzanne L.
Ferrence, Patricia A. Manning,
and Virginia A. Brodt c/o
Theodore R. Lewis, Esquire,
Lewis and Walters, 46 S. 4th
Street, P.O. Box A, Easton, PA
18044-2099

Attorneys: Theodore R. Lewis,
Esquire, Lewis and Walters, 46
South Fourth Street, P.O. Box
A, Easton, PA 18044-2099

NOTICES OF INCORPORATION

NOTICE IS HEREBY GIVEN that
Articles of Incorporation have been
filed with the Department of State
of the Commonwealth of Pennsyl-
vania, Harrisburg, Pennsylvania on
April 24, 2006, for the purpose of
obtaining a Certificate of Incorpora-
tion pursuant to the provisions of
the Business Corporation Law of the
Commonwealth of Pennsylvania, Act
of December 21, 1988 (P.L. 1444,
No. 177), as amended, by the fol-
lowing corporation:

AMERICAN ORTHO, INC.

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

May 18

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

The name of the proposed cor-
poration is:

**STONEHENGE VINEYARD
AND WINERY, INC.**

The corporation has been incor-
porated under the Pennsylvania
Business Corporation Law of 1988.

McFALL, LAYMAN &
JORDAN, P.C.

134 Broadway
Bangor, PA 18013

May 18

**FICTITIOUS NAME
REGISTRATION NOTICE**

NOTICE IS HEREBY GIVEN,
pursuant to the provisions of Act
295 of 1982, as amended, of inten-
tion to file, or the filing of, in the
Office of the Secretary of the Com-
monwealth of Pennsylvania, at Har-
risburg, Pennsylvania, on March 13,
2006, a Certificate for the conduct
of a business in Northampton
County, Pennsylvania, under the
assumed or fictitious name, style or
designation of:

AARON'S LAWN SERVICE

with its principal place of business
at: 30 Beechwood Court, Bangor,
Pennsylvania. The names and ad-
dress of the persons owning or in-
terested in said business are: Andy
G. Thatcher and Aaron D. Thatcher,
30 Beechwood Court, Bangor,
Pennsylvania.

JOHN MOLNAR, ESQUIRE
THE MOLNAR LAW OFFICES
Wind Gap Professional Center
6697 Sullivan Trail
Wind Gap, PA 18091

May 18

**LIMITED LIABILITY COMPANY
NOTICE**

NOTICE IS HEREBY GIVEN that a Certificate of Organization for Domestic Limited Liability Company has 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 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 company is:

FIRST CHOICE PORTABLE
MOVING AND STORAGE, LLC

The purpose of the LLC is: Leasing of portable storage units.

LEONARD M. MELLON, ESQUIRE
I.D. No. 46815

151 South 7th Street

Easton, PA 18042

(610) 559-9990

May 18

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

IN RE: PETITION OF
MARY ELLEN SANDS

No. C0048CV2006002369

CHANGE OF NAME NOTICE

NOTICE IS HEREBY GIVEN that on March 16, 2006, the Petition of Mary Ellen Sands was filed, to the above term and number, requesting a decree to change her name to Mariellen Sands.

The Court has fixed May 30, 2006 at 9:00 a.m. in Motions Court, Northampton County Government Center, as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause, if any

they may have, why the prayer of the Petition should not be granted.

NANCY T. SCHNEIDERMAN,
ESQUIRE

2704 Wm. Penn Hwy.

P.O. Box 3443

Palmer, PA 18043

(610) 559-5551

May 18

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

In Re: Condemnation

Proceedings of a Right-of-Way

Easement over a Portion of

Property Commonly known as

Northampton County Tax Parcel
Identifier Number C12 1 1 0127

Portland, Pennsylvania, by the

Borough of Portland for a

Sewer System Project

No. C0048CV2006003108

IN REM PROCEEDING

TO: KATHERINE MOREKEN, A/K/A
KATHERINE MOREKIN, JOHN
MOREKEN, MARY JEWELL,
MICHAEL MOREKEN, ANDREW
MOREKEN, MICHAEL MORE-
KEN, ROSEANN MOREKEN,
CHARLES MOREKEN, STEVEN
MORKEN, OLGA MOREKEN,
THOMAS MOREKEN, STEPH-
ANIE BUDICK, THEIR HEIRS,
BENEFICIARIES, PERSONAL
REPRESENTATIVES AND/OR
ASSIGNS, AND ALL OTHER IN-
TERESTED PARTIES

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 April 27, 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, or in which you may have an interest.

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 April 10, 2006. A copy of the Resolution is attached to the Declaration of Taking as Exhibit "A" thereto. 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 construction of Borough Sewage System facilities on adjacent property.

6. Condemnor condemns:

a. A temporary Right-of-Way Easement (the "Condemned Easement") over a portion of property located at Northampton County Tax Parcel Identifier N C12 1 1 0127, as more specifically described in Northampton County Deed Book Volume E-65, page 38, previously owned by Katherine Moreken, a/k/a Katherine Morekin, now deceased (the "Property"). The temporary easement is 415 square feet in area. The temporary easement shall be for the period of construc-

tion for the Borough's Sewage System Project, but in any event not less than 18 months.

b. A plan (the "Plan") delineating the Condemned Easement is attached to the Declaration of Taking.

c. The relation of the Condemned Easement to the overall Property of the Condemnees is also depicted on the Plan of the Declaration of Taking.

7. Title acquired by the Borough of Portland shall be a temporary Right-of-Way Easement as delineated in the Plan, to provide the Borough the ability to erect, construct, install and lay, sewage facilities on an adjacent property, together with right of ingress and egress over the property for purposes of the easement.

8. A 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

May 18

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

In Re: Condemnation
Proceedings of a Right-of-Way
Easement over a Portion of
Property Commonly known as
Northampton County Tax Parcel
Identifier Number C12 1 1 0127
Portland, Pennsylvania, by the
Borough of Portland for a Sewer
System Project

No. C0048CV2006000937

IN REM PROCEEDING

TO: KATHERINE MOREKEN, A/K/A
KATHERINE MOREKIN, JOHN
MOREKEN, MARY JEWELL,
MICHAEL MOREKEN, ANDREW
MOREKEN, MICHAEL MOREKEN,
ROSEANN MOREKEN,
CHARLES MOREKEN, STEVEN
MORKEN, OLGA MOREKEN,
THOMAS MOREKEN, STEPH-
ANIE BUDICK, THEIR HEIRS,
BENEFICIARIES, PERSONAL
REPRESENTATIVES AND/OR
ASSIGNS, AND ALL OTHER IN-
TERESTED 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 Port-
land, Northampton County, Penn-
sylvania, 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 condemn-
ing a right of way easement over
property owned by you, or in which
you may have an interest.

2. The Condemnor is the Bor-
ough 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 Feb-
ruary 6, 2006. The Resolution can
also be examined at the address of
the Condemnor.

5. The purpose of the condem-
nation is to construct a Sewage Sys-
tem 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 por-
tion of property located at
Northampton County Tax Parcel
Identifier N C12 1 1 0127, as more
specifically described in Northamp-
ton County Deed Book Volume E-
65, page 38, previously owned by
Katherine Moreken, a/k/a Kath-
erine Morekin, now deceased (the
"Property"). The Condemned Eas-
ement is both permanent and tem-
porary 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 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

May 18

ATTORNEYS NEEDED

Four attorneys needed: staff attorney (Bethlehem); managing attorney (Stroudsburg); attorney to coordinate brief services (Scranton); and employment law staff attorney (any North Penn office).

More job info at "jobs" at
www.northpennlegal.org.

Resumes accepted until position filled.

Reply to
resumes@northpennlegal.org,
Ref. 051206, or HR Manager,
North Penn Legal Services,
329 Market St.,
Williamsport, PA 17701. EOE.

May 18

JOB POSTING

Law firm seeks an assistant with skills in general bookkeeping, accounts payable, accounts receivable, invoice control, payroll and banking. Competitive salary offered. Interested applicants should fax a detailed resume, references and salary requirements in confidence to (610) 559-7405.

May 18, 25; June 1

LEGAL SECRETARY

General Civil Practice seeking legal secretary for Bethlehem Law Office. Please send resume to Stephen Mowrey, P.C., 4501 Bath Pike, Bethlehem, PA 18017. Salary commensurate with experience.

May 11, 18, 25

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

The following real estate will be sold by the Sheriff of Northampton County, Pennsylvania, on June 9, 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-2005-009419**

ALL THAT CERTAIN messuage or tenement and tracts or piece of land situate in the Township of Plainfield, in the Village of Belfast, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a corner on the West side of the state concrete highway leading from Easton to Wind Gap, and in line of land of Walter Kresge; thence West along the same a distance of two hundred eighteen (218) feet to a corner and land of the said Walter Kresge; thence South along the same a distance of thirty-five (35) feet to a corner in line of Lot No. 2; thence East along the same a distance of two hundred eighteen (218) feet to a corner on the West side of the Easton and Wind Gap Road; thence North a distance of thirty-five (35) feet to the place of beginning.

Tax Parcel ID No. H8NW3-4-10.

Having erected thereon a dwelling known as 5839 Sullivan Trail, Nazareth, PA 18064.

Being the same premises which Mark A. Stempien and Donna Stempien by their deed dates 5/7/04 and recorded 5/11/04 in the Recorder of Deeds Office of Northampton County, Pennsylvania, in instrument number 2004-1-178152 granted and conveyed unto Jeffrey S. Groller.

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

SEIZED AND TAKEN into execution of the writ as the property of Jeffrey S. Groller.

LOUIS P. VITTI, ESQUIRE

**No. 2
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-009504**

ALL THAT CERTAIN lot or parcel of land situate in the Township of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, and being designated as Lot No. 5, Block 3, on plan of "Walnut Hill Estates", prepared by C.A. Costello Engineering Co., dated March 31, 1970 and recorded in Plan Book 27, page 10, Northampton County Records.

NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NUMBER MAP: N7NE1 BLOCK: 36 LOT: 5.

BEING KNOWN AS: 2140 14TH STREET, BETHLEHEM, PA 18020.
PROPERTY ID NO.: N7NE1-36-5.

TITLE TO SAID PREMISES IS VESTED IN Mark Shimoskie and Suzanne Bambu-Shimoskie, husband and wife, as tenants by the entireties by deed from Robert Joseph Smerdon, an adult individual dated 8/27/01 recorded 8/30/01 in Deed Book 2001-1 page 176472.

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

SEIZED AND TAKEN into execution of the writ as the property of Mark Shimoskie and Suzanne Bambu-Shimoskie.

MARK J. UDREN, ESQUIRE

No. 4

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-008230**

ALL THAT CERTAIN messuage or tenement and lot 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 on the Southerly side of East Fifth Street at a distance of two hundred and forty (240) feet Eastwardly from the Southeast corner of said Fifth Street and Hayes, formerly Centre Street, thence extending Eastwardly a distance of twenty (20) feet to a point, and extending Southwardly of that same width a distance of seventy (70) feet to a point, said point being known as the southern portion of Lot No. 1 of the George S. Lawrence Subdivision; said premises being known as Lot No. 2 of the George S. Lawrence Subdivision as indicated in Plan Book 66, Page 18 in the Office of the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania.

BEING NORTHAMPTON COUNTY TAX PARCEL #P6SE2A-30-12.

BEING THE SAME PREMISES which Michael S. Kolesnik and Christine A. Kolesnik, husband and wife, by Deed dated July 29, 1991 and recorded in the Office of the Recorder of Deeds of Northampton

County on July 30, 1991 in Deed Book Volume 837, Page 126, granted and conveyed unto Steven W. Silfies, single.

BEING KNOWN AS 926 EAST FIFTH STREET, BETHLEHEM, PENNSYLVANIA.

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

SEIZED AND TAKEN into execution of the writ as the property of Steven W. Silfies.

KRISTINE M. ANTHOU, ESQUIRE

No. 6

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-003556**

ALL THAT CERTAIN house and lot situate on the South side of Ferry Street, and known as No. 1016 Ferry Street, in the City of Easton, County of Northampton, and State of Pennsylvania, and bounded and described as follows, to wit:

BEGINNING at a point one hundred (100) feet East of Warren Street, on the South side of said Ferry Street, thence extending eastwardly along said Ferry Street twenty (20) feet, and thence the lot extending southwardly of the same width in depth two hundred and fifty-four feet, six inches (254' 6") to Spruce Street.

BOUNDED on the North by said Ferry Street; on the East by property now or late of G.B. Case; on the South by Spruce Street; and on the West by property now or late of George F.P. Young.

Northampton County Tax Parcel number: L9SE1D 9 5

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

SEIZED AND TAKEN into execution of the writ as the property of Barbara V. Baxter.

DAWN M. SCHMIDT, ESQUIRE

No. 7

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-003345**

ALL THAT CERTAIN tract or piece of land with the improvements thereon, situate in the City of Easton, County of Northampton and State of Pennsylvania, on the North side of Berwick Street, between Davis Street and Seitz Avenue, beginning at a point nineteen feet West from the Western lien of Lot No. 12, designated on the plan of lots laid out on the Ott Farm by Peter Brady, for Charles Seitz and Frederick Seitz, in December, 1891, and recorded in Book of Maps No. 1, page 24, in Block D, thence extending Northwardly through the center of a brick wall dividing a double brick house one hundred twenty-five feet to a private alley; thence Westwardly along the South side of said alley nineteen feet more or less to line of Anna E. Merwarth, thence Southwardly along the line of Anna E. Merwarth one hundred twenty-five feet to Berwick Street, thence eastwardly along the North side of said Berwick Street nineteen feet more or less to the place of beginning. Bounded on the East by land of Ralph B. Burwell, on the North by a private alley, on the West by land now or late of Anna E. Merwarth and on the South by Berwick Street.

Northampton County Tax Parcel number: L9SE3D 21 13.

BEING KNOWN AS 343 West Berwick Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Patricia A. Gallagher.

DAWN M. SCHMIDT, ESQUIRE

No. 9

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2001-002418**

ALL THAT CERTAIN messuage, tenement or piece or lot of ground known as No. 583 Benner Avenue, with improvements thereon, SITUATE in the City of Bethlehem, (formerly known as Lower Saucon Township), County of Northampton, Pennsylvania; bounded and described as follows, to wit:

BEGINNING at a point on the East side of Benner Avenue, and said point being 228.57 feet North of the Northeast corner of Moravian Street and Benner Avenue; thence North 38.87 feet along the Eastern boundary line of Benner Avenue to a point the Southwest corner of lot now or late of Charles Heppner; thence in an Easterly direction along the Southern boundary line of the property now or late of Charles Heppner 112 feet to the Western boundary line of a proposed 20 feet wide alley; thence South along the Western boundary line of said alley 38.87 feet to a point, being the Northeast corner of No. 85 Benner Avenue; thence in a Westerly direction partly through a partition or dividing wall of a double dwelling 112 feet to the Eastern Boundary line of Benner Avenue the point, the place of BEGINNING. Having a frontage along Benner Avenue of 38.87 feet and a depth of 112 feet.

BOUNDED on the North by property now or late of Charles Heppner, on the East by a proposed 20 feet wide alley, on the South by property now or late of Conrad H.

Haderer and on the West by Benner Avenue. The property is now known as 583 Benner Avenue, City of Bethlehem, Northampton County, Pennsylvania, according to present City numbering.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: P6SW3D-4-7.

BEING the same premises which Patricia Lynne Becvar, by deed dated February 13, 1995 and recorded in the Northampton County Recorder of Deeds Office on February 13, 1995 in Deed Book 1995-1 Page 012445, granted and conveyed unto Fred T. Bringenberg.

PARCEL NO. P6SW3D-4-7.

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

SEIZED AND TAKEN into execution of the writ as the property of Fred T. Bringenberg and Audrey L. Bringenberg.

JOSEPH REJENT, ESQUIRE

No. 10
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-007683

ALL the following described properties situate in the Borough of Wilson, County of Northampton, Commonwealth of Pennsylvania, described according to a survey and plan thereof made for Howland Homes Co. by John F. Cibula, Registered Professional Engineer and Surveyor of Easton, Pennsylvania, on the 22nd day of October A.D. 1952 and revised January 24, 1953, as follows, to wit:

BEGINNING at a point on the Southerly side of Spring Garden Street (60) feet wide) at the distance of 166.74 feet Westwardly from the Westerly side of North Fifteenth

Street (60) feet wide); CONTAINING in front or breadth on said Spring Garden Street 17.97 feet and extending of that width in length or depth South 6 degrees, 30 minutes, West between parallel lines at right angles to said Spring Garden Street, the Easterly and Westerly lines thereof passing partly through the party wall of the building erected on this lot and the building erected on the lots adjoining to the East and West thereof, and crossing a certain 3 feet wide walk which extends Eastwardly into North Fifteenth Street and Westwardly into North Sixteenth Street (50 feet wide) 150 feet.

BEING lot No. 35 on said Plan; house No. 1516 Spring Garden Street.

TAX PARCEL NO. L9SW2B-6-5-0837.

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

SEIZED AND TAKEN into execution of the writ as the property of Michael T. Moore.

JOSEPH REJENT, ESQUIRE

No. 11
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2006-000326

ALL THAT CERTAIN messuage or tenement and lot or piece or ground situate in the Borough of Freemansburg, County of Northampton, Commonwealth of Pennsylvania, known as 206 Monroe Street according to present Borough numbering bounded and described as follows:

BEGINNING at the southwest corner of Green and Monroe Streets; thence along the South side of Monroe Street westwardly a front of sixty (60) feet more or less to lands now

or late of Howard Rice; thence along the same southwardly one hundred twenty (120) feet to a fifteen foot wide alley; thence along the North side of said fifteen foot wide alley eastwardly sixty (60) feet to said Green Street; thence along the West side of said Green Street northwardly one hundred twenty (120) feet to Monroe Street, the place of BEGINNING.

BOUNDED on the North by Monroe Street; West by lands now or late of Howard Rice, South by a fifteen foot wide alley and East by Green Street.

MBL: P7NW2B-1-2.

BEING THE SAME PREMISES WHICH David M. Hritz and Lorena Z. Hritz, husband and wife, by Deed dated November 22, 1999 and recorded Feb. 4, 2002 in the Office of the Recorder of Deeds in and for the County of Northampton in Deed Book Volume 2002-1, Page 31024, granted and conveyed unto Steven L. Paul and Dorothy M. Paul, husband and wife.

BEING KNOWN AS: 206 MONROE STREET, (FREEMANSBURG BOROUGH), FREEMANSBURG, PA 18017.

PROPERTY ID NO.: P7NW2B-1-2.

TITLE TO SAID PREMISES IS VESTED IN Steven L. Paul and Dorothy M. Paul, husband and wife by Deed from David M. Hritz and Lorenza Z. Hritz dated 11/22/99 and recorded 2/4/02 in Deed Book 2002-1 Page 31024.

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

SEIZED AND TAKEN into execution of the writ as the property of Steven L. Paul and Dorothy M. Paul.

MARK J. UDREN, ESQUIRE

No. 12

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2004-005201

ALL THAT CERTAIN message, tenement and lot or tract of land situate in the said City of Bethlehem, County of Northampton, and Commonwealth of Pennsylvania, being premises more commonly known and designated as No. 619 Sioux bounded and described as follow, to wit:

BEGINNING at a point in the northerly line of Sioux Street, said point being the intersection of the eastern line of Jisohke Street with the northern line of Sioux Street; THENCE extending eastward along said Sioux Street a distance of fourteen and seven one hundredths (14.07) feet and of this said width extending in a northern direction a distance of sixty eight and eighty three one hundredths (68.83) feet to the northern line of a four (4) feet wide private alley; the eastern line extending partly through the middle of a party or partition wall separating the house erected on the premises adjoining on the east.

PROVIDED, always nevertheless that the four (4) feet wide alley extending along the northern portion of said premises shall at all times be kept open and unobstructed for the use of the owners and occupiers of the eight premises abutting thereon and adjoining on the east address: 619 Sioux Street, Bethlehem, PA.

TAX MAP OR PARCEL ID No.: P6SW3B-6-34.

THEREON BEING ERECTED a two story brick end of row dwelling with flat roof.

SEIZED AND TAKEN into execution of the writ as the property of Dennis A. Stout.

JOSEPH A. GOLDBECK, JR.,
ESQUIRE

No. 13
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-008567

ALL THAT CERTAIN piece, parcel or tract of land situate in the Township of Williams, County of Northampton and Commonwealth of Pennsylvania known as Lot 3 as shown on the Final Subdivision Plan of Crimson Ridge Estates as recorded in Map Book 93, Page 130, in the Office of the Recorder of Deeds for Northampton County at Easton, Pennsylvania and being further bounded and described as follows, to wit:

BEGINNING at a point on the northerly ultimate right-of-way line of Bergers Road (30.00 feet from centerline), said point also being on a corner of Lot 2 of Crimson Ridge Estates; thence along said northerly ultimate right-of-way line of Bergers Road (30.00 feet from centerline) South 60 deg. 06 min. 51 sec. West 216.94 feet to a point on a corner of Lot 4 of Crimson Ridge Estates; thence along said lands of Lot 4 of Crimson Ridge Estates North 29 deg. 53 min. 09 sec. West 207.23 feet to a point on the southerly right-of-way line of I-78; thence along said southerly right-of-way line of I-78 the following two courses and distances: (1) North 73 deg. 03 min. 21 sec. East 21.81 feet to a point; thence (2) North 61 deg. 16 min. 40 sec. East 195.73 feet to a point on a corner of Lot 2 of Crimson Ridge Estates; thence along said lands of Lot 2 of Crimson Ridge

Estates South 29 deg. 53 min. 09 sec. East 198.37 feet to a point, the place of BEGINNING.

CONTAINING 43,560.16 square feet or 1.000 acre.

SAID LOT being subject to any and all drainage and utility easements as shown on the final recorded plan.

TITLE TO SAID PREMISES IS VESTED IN James L. McCray and Antoinette B. McCray, husband and wife, by Deed from SJP Development Corporation dated 09/12/1995 and recorded 09/18/1995 in Deed Book 1995-1, Page 86964.

Premises being: 965 BERGER ROAD, EASTON, PA 18042.

Tax Parcel No. N9-2-1E-0836.

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

SEIZED AND TAKEN into execution of the writ as the property of James L. McCray a/k/a James Lee McCray and Antionette B. McCray a/k/a Antionette Brazil McCray.

DANIEL G. SCHMIEG, ESQUIRE

No. 14
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2006-000329

All that certain lot, parcel or piece of ground lying and being situate in the Township of Bushkill, County of Northampton and Commonwealth of Pennsylvania, being Lot No. 6 as shown on map entitled "Subdivision Plan Hillside Farm Acres", as prepared by Reimer and Fischer Engineering, Inc., and filed in the Office of the Recording of Deeds in and for the County of Northampton at Easton, Pennsylvania, in Map Book Volume 61, Page 8 and 9,

bounded and described as follows, to wit:

Beginning at a concrete monument set along the southerly right-of-way line of Aluta Mill Road (Township Road #597), said point being the northwestern property corner in lands of Lot Number 5 of the Hillside Farm Acres Subdivision; thence along the westerly property line of said lot number 5 and along the westerly line of lot number 2 of the Hillside Farm Acres Subdivision, South 15 degrees 57 minutes 00 seconds East, the distance of 311.06 feet to an iron pin set, said point being a corner in lands of Lot Number 7 of the Hillside Farm Acres Subdivision; thence along lands of said lot number 7, the following two (2) courses and distances: (1) South 74 degrees 03 minutes 00 seconds West the distance of 149.85 feet to an iron pin set; (2) North 15 degrees 57 minutes 00 seconds West, the distance of 298.85 feet to an iron pin set on the southerly right-of-way line of Aluta Mill Road, said point being the northeasterly property corner of lands of lot number 7 of the Hillside Farm Acres Subdivision; thence along said southerly right-of-way line of Aluta Mill Road, along a curve to the right, with a radius of 703.05 feet, internal angle of 12 degrees 16 minutes 34 seconds, and the arc length of 150.63 feet to an iron pin set, the place of beginning.

Subject to restrictions as recorded in Deed Book 692, Page 1089.

Containing 49,084 square feet of 1.0579 acres.

PARCEL NO. H7-16-2.

Being known as: 186 East Aluta Mill Road, Nazareth, PA 18064

THEREON BEING ERECTED a b-level dwelling w/one-car garage, vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Greg J. Troisi.

TERRENCE J. McCABE,
ESQUIRE

No. 15
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2006-000501

ALL THAT CERTAIN eastern half of a double brick dwelling house and lot of ground situate on the north side of Ferry Street, known as 1553 Ferry Street, in the Borough of Wilson, County of Northampton and State of Pennsylvania, bounded and described as follow, to wit:

CONTAINING in front on said Ferry Street twenty-two (22') feet and extending northwardly of that same width one hundred (100') feet in depth to a 10 feet wide private alley.

BOUNDED on the north by said 10 feet wide private alley; on the east by Lot No. 48 on plan of lots of Edward Somers Estate; on the south by said Ferry Street; and on the west by Lot No. 46 on said plan.

Vesting Information:

Vested by: Special Warranty Deed dated 6-30-03, given by Lucy G. Hanni, widow to Paul S. Bogoly, Jr., married recorded 7-3-03 in Book: 2003-1 Page 250952.

BEING KNOWN AS 1553 Ferry Street, Easton, Pennsylvania.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SW2C-1-12.

SEIZED AND TAKEN into execution of the writ as the property of Paul S. Bogoly, Jr. a/k/a Paul Sulla Bogoly, Jr.

DANIEL G. SCHMIEG, ESQUIRE

No. 16
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2006-000597

All that certain lot or piece of ground with the southern one-half of a double frame dwelling erected thereon, known as #815 South 23rd Street in the Borough of Wilson, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

Beginning at the northwest corner of South 23rd Street and a ten feet wide alley, thence northwardly along said South 23rd Street, seventeen feet two and one-half inches to a point in the line which passes through the middle of the partition wall erected between the dwelling herby conveyed and the dwelling erected on the North, thence westwardly along this said line ninety feet to property now or late of Simon Lambert, thence southwardly seventeen feet two and one-half inches to the northern line of the said ten feet wide alley, thence eastwardly ninety feet to the point, the place of beginning

TAX PARCEL NO: L9SW4C15-10.

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

SEIZED AND TAKEN into execution of the writ as the property of Buffy S. Smith and Russell W. Smith.

JOSEPH A. GOLDBECK, JR.,
ESQUIRE

No. 17
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-008614

ALL THAT CERTAIN message or tenement and tract of land situ-

ate in the Borough of Freemansburg, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at the Southwest corner of the road leading from Freemansburg to Bethlehem, known as the Market Street-Bethlehem Road, and a 14 feet wide alley; thence Westwardly on the South side of said alley 190 feet, more or less, to the East of a 15 feet wide alley; thence along the East side of the last mentioned alley Southwardly 50 feet to corner of property now or late of Owen McCall, Trustee for the Kate Reynolds; thence along the said property Eastwardly 180 feet, more or less, to the West side of said Market street-Bethlehem Road; thence Northwardly on said road 60 feet, be it more or less, to the point of Beginning.

IT BEING THE SAME PREMISES which The Chase Manhattan Bank, successor by merger to Chase Bank of Texas, N.A., formerly names Texas Commerce Bank, by deed dated 8/23/00 and recorded 8/31/00 in Deed Book 2000-1 at Page 112798.

BEING Parcel No. P7NW2B-20-1.

BEING KNOWN AS 44 Market Street, Freemansburg, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Denise L. Warner and Malloy R. Warner.

JOSEPH A. GOLDBECK, JR.,
ESQUIRE

No. 19
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-007207

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

BEGINNING at a point in Legislative Route #248 and the corner of land belonging to Remsing; thence along Remsing's land the following courses and distances: (1) South 57 degrees 12 minutes 02 seconds West (passing over an iron pipe 30.38 feet) 227.86 feet to a iron pipe; (2) South 37 degrees 16 minutes 36 seconds East 146.11 feet to an iron pipe; (3) South 41 degrees 23 minutes 18 seconds West 179.66 feet to a iron pipe; thence along land of Giacomo DiOdoardo and wife, of which this was part, the following courses and distances: (1) South 26 degrees 27 minutes 54 seconds West 305.74 feet to a iron pipe; (2) North 89 degrees 22 minutes 26 seconds West 361.69 feet to an iron pipe; thence along land of Mike Donello North 1 degree 12 minutes West 530.00 feet to an iron pipe; thence along DiOdoardo's Subdivision known as Lot #1 the following courses and distances: (1) South 74 degrees 49 minutes 58 seconds East 322.84 feet to an iron pipe; (2) North 57 degrees 12 minutes 02 seconds East (passing over an iron pipe 439.37 feet) 469.75 feet to a point in the aforesaid public road; thence in said road South 23 degrees 40 minutes 45 seconds East 60.76 feet to the point and place of beginning.

CONTAINING 6.0469 acres.

PARCEL NUMBER: K5-13-2E-2.

TITLE TO SAID PREMISES IS VESTED IN Ralph T. Stocker and

Gisele T. Stocker by Deed from Giacomo DioDoardo and Kathleen A. DioDoardo, dated 4/01/1981 and recorded 4/02/1981 in Deed Book Volume 625, Page 345.

BEING KNOWN AS 6140 WEST MAIN BOULEVARD, BATH, PENNSYLVANIA.

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

SEIZED AND TAKEN into execution of the writ as the property of Ralph T. Stocker and Gisele T. Stocker and The United States of America.

BARBARA A. FEIN, ESQUIRE

No. 20
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2006-000065

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

BEGINNING at a point in the center line of Broad Street; thence by and along property of Ann Amy, formerly of John Amy, now deceased, North twenty-two degrees, thirty minutes East two hundred and fifty-seven feet across a twelve foot alley, now Railroad Avenue, to a point on the Northern boundary line of said alley, thence North sixty-nine degrees West twenty-four feet to a point; thence South twenty-two degrees thirty minutes West two hundred and fifty-seven feet, more or less, to the center line of Broad Street; thence South sixty-seven degrees thirty minutes East twenty-four feet to the place of beginning.

TAX PARCEL #E8NE3A-4-1.

TITLE TO SAID PREMISES IS VESTED IN Paul Frey by Deed from

Robert J. Lang, Judy A. Crawford and Bernice A. Bone dated 11/9/1992 and recorded 12/18/1992 in Deed Book Volume 883, Page 182.

BEING KNOWN AS 486 Broad Street, Pen Argyl, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Paul Frey.

BARBARA A. FEIN, ESQUIRE

No. 21

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2006-000396**

PARCEL NO. 1: ALL THAT CERTAIN tract, piece or parcel of land situate and being in the Borough of Roseto, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a notch on the easterly curb of Garibaldi Avenue, said notch being 19.95 feet northwest of the northwesterly corner of 1 2-1/2 story frame home; thence North 25 degrees 30 minutes West, along the curb line, 45.7 feet to a joint in said curb; thence North 87 degrees 45 minutes east, along other land of Philip A. Ruggiero and Jennie, his wife, grantees hereof, 133.5 feet to an iron pin on the westerly line of a 14 foot wide alley; thence south 25 degrees 30 minutes east, along the said westerly line 18.2 feet to an iron pin on line of Mabel Cascioli, grantor hereof; thence South 76 degrees 10 minutes West, along said other land, and passing at a point ten feet north of the north east corner of the home first above mentioned (not the kitchen corner), for a distance of 124.7 feet to the place of BEGIN-

NING. CONTAINING the northerly part of Lot No. 12.

BEING the same premises which Mabel Cascioli, widow, by her deed dated April 30, 1971 and recorded in the Office for the Recording of Deeds in and for the County of Northampton, at Easton, Pennsylvania, in Deed Book Volume 423, page 549, granted and conveyed unto Philip A. Ruggiero and Jennie A. Ruggiero, his wife, in fee. The Said Philip A. Ruggiero departed this life on August 17, 1997, thereby vesting title in Jennie A. Ruggiero as surviving tenant by the entireties

PARCEL No. 2: ALL THAT CERTAIN messuage or tenement, lot, tract, piece or parcel of land lying and being in the Borough of Roseto in the County of Northampton, and State of Pennsylvania, bounded and described in accordance with a certain map or plan of lots made by John J. Stofflet, Surveyor, for and at the request of John W. Heller, a previous owner of the premises hereinafter described as follows, to wit:

BEING Lot No. 11 on said Map. BEGINNING at a point or corner in the public road leading from Bangor to what is know as 'Hollands Farm' and into another public road which leads from Bangor through the so called Holland's Farm to the mountain; thence along the first mentioned public road which is known as the New Public Road North twenty-five degrees and a half West forty-five feet to a corner of Lot No. 10, as per said map or plan; thence along the southern boundary or division line of said Lot No. 10 North eighty-seven and three-quarters East one hundred and fifty feet to a corner in the West side of a four-

teen feet wide alley; thence along the West side of said alley and in line therewith South twenty-six degrees and a half East forty-five feet to a corner of Lot No. 12, as per said map or plan; thence along the northern boundary or division line of said Lot No. 12 South eighty-seven degrees and a half West one hundred and fifty feet to the corner on the East side of said New Public Road, the place of BEGINNING.

BEING the same premises which Nicola D'Italia and Filomena D'Italia, his wife, by their deed dated August 1, 1961 and recorded in the Office for the Recording of Deeds as aforesaid, in Deed Book 154, page 307, granted and conveyed unto Philip A. Ruggiero and Jennie A. Ruggiero, husband and wife, in fee. The Said Philip A. Ruggiero departed this life on August 17, 1997, thereby vesting title in Jennie A. Ruggiero as surviving tenant by the entireties.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: D9SE1A-3-9.

BEING KNOWN AS 707 Garibaldi Avenue, Roseto, Pennsylvania.

SEIZED AND TAKEN into execution of the writ as the property of John W. Hohl and Cynthia I. Hohl.

DANIEL G. SCHMIEG, ESQUIRE

No. 22

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-009048**

All that certain messuage, tenement and lot or piece of ground situate on the Northwesterly corner of Ridge and Spring Streets, in the Borough of West Easton, County of Northampton, and Commonwealth of Pennsylvania, known as 139 Spring Street, as shown on a plan prepared by Kenneth R. Hahn, Reg-

istered Surveyor, drawing No. 81-55, dated March 30, 1981, bounded and described as follows, to wit:

Beginning at the intersection of the Northerly side of Spring Street, with the Westerly side of Ridge Street; thence extending along the Northerly side of Spring Street (40 feet wide)\$ South 60 degrees 00 minutes West, 28.58 feet to a point; thence extending along the Easterly property line of House No& 141 Spring Street, North 30 degrees 00 minutes West, 140.00 feet to the point on the Southerly side of a 20 feet wide alley; thence extending along the Southerly side of said alley, North 60 degrees 00 minutes East, 28.58 feet to a point on the Westerly side of Ridge Street; thence extending along the Westerly side of Ridge Street, South 30 degrees 00 minutes East, 140.00 feet to the place of beginning.

Containing 4,001.2 square feet.

Being the same premises which Jean C. Murphy, n/k/a Jean C. Murphy Stout and Ronnie W. Stout, husband and wife, by deed dated June 27, 1997 and recorded July 2, 1007 in the Office of the Recorder of Deeds in and for Northampton County, at Easton, Pennsylvania, in Record Book Volume 1997-1 page 69600, did grant and convey unto Alan D. Mohr and Michele A. Servaty, in fee.

TITLE TO SAID PREMISES IS VESTED IN Manuel Albarran and Arlene Albarran, husband and wife, by Deed from Alan D. Mohr and Michele A. Servaty, dated 7-7-03, recorded 7-10-03 in Deed Book 2003-1, page 263400.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SW3D-11-2.

BEING KNOWN AS 139 Spring Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Manuel Albarran and Arlene Albarran.

DANIEL G. SCHMIEG, ESQUIRE

No. 23

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-008772**

ALL THAT CERTAIN messuage, tenement, and lot or parcel of land situate in the Township of Forks Northampton County, Pennsylvania, designated as Lot No. 134 on the Plan of Penn's Ridge, Phase 4, as said Plan is recorded in the Recorder of Deeds Office in and for Northampton County, Pennsylvania in Plan Book Vol. 2000-5, Pages 306 and 307, being more fully bounded and described as follows, to wit:

BEGINNING at a point on the western right-of-way line of Chestnut Lane (50 feet wide), said point being the northeast corner of Lot 135 and the southeast corner of the herein described Lot 134; thence along the northern boundary line of Lot 135, South eighty-nine degrees nine minutes fifty-six seconds West (S 89 degrees 09 minutes 56 seconds W), a distance of one hundred thirty-seven and thirty-eight one-hundredths feet (137.38 feet) to a point;

thence along the eastern boundary lines of Lots 157 and 158, North one degree forty-two minutes thirty-two seconds West (N 01 degrees 42 minutes 32 seconds W), a distance of twenty-two and zero one-hundredths feet (22.00 feet) to a point;

thence along the southern boundary line of Lot 133, North

eighty-nine degrees nine minutes fifty-six seconds East (N 89 degrees 09 minutes 56 seconds E), a distance of one hundred thirty-seven and seventy-two one-hundredths feet (137.72 feet) to a point;

thence along the western right-of-way line of Chestnut Lane (50 feet wide), South zero degrees fifty minutes four seconds East (S 00 degrees 50 minutes 04 seconds E), a distance of twenty-two and zero one-hundredths feet (22.00 feet) to the place of BEGINNING.

CONTAINING IN AREA 3049.20 square feet or 0.070 acre.

UNDER AND SUBJECT, nevertheless, and together with, a certain ten-foot wide access easement as more fully described and illustrated in a certain Declaration and Imposition of Cross-Easement document recorded in the recorder's office in Miscellaneous Volume 2000-1, Page 172146.

UNDER AND SUBJECT, further, to easements, restrictions and covenants of record.

BEING part of the same premises which Ella Uhler Owens, by its deed dated August 31, 1987, and recorded in the Recorder of Deeds Office in and for Northampton County, Pennsylvania, in Deed Book Volume 733, Page 708, granted and conveyed unto Hornstein Enterprises, Inc., party of the first part herein.

TITLE TO SAID PREMISES IS VESTED IN Cornelius R. Coddington by Deed from Hornstein Enterprises, Inc., dated 10-26-01, recorded 11-09-01 in Deed Book 2001-1, page 240125.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: K9-37-134.

BEING KNOWN AS 2525 Chestnut Lane, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Cornelius R. Coddington.

DANIEL G. SCHMIEG, ESQUIRE

No. 24

BY VIRTUE OF A CERTAIN

WRIT OF EXECUTION

CV-2005-009231

All that certain frame house and lot or piece of land situated on the north side of Butler Street, in the City of Easton, County of Northampton, and State of Pennsylvania, bounded and described as follows, to wit:

CONTAINING in front on the north side of said Butler Street twenty (20) feet, thence the property extending northwardly of the same width in depth one hundred thirty-seven and one-half (137 1/2) feet to property now or late of Mrs. John Lair.

BOUNDED on the north by property now or late of Mrs. John Lair; on the east by property now or late of E.E. Nagle and Charles K. Nagle; on the south by Butler Street; and on the west by property now or late of Josiah Siegfried

BEING THE SAME PREMISES which Thomas J. Vanauken, single, and Gail E. Trapani, single, by Indenture dated February 28, 1990 and recorded in the Office of the Recorder of Deeds in and for Northampton County in Deed Book 794, Page 218, granted and conveyed unto Brian Hart, single and Annemarie M. Kelly, single.

TITLE TO SAID PREMISES IS VESTED IN Brian K. Hart and Annemarie M. Hart, husband and wife, by Deed from Brian Hart, also

known as, Brian K. Hart and Annemarie M. Kelly, now by marriage, Annemarie M. Hart, husband and wife, dated 07-06-93, recorded 07-14-93, in Deed Book 902, page 465.

ASSESSMENT MAP, BLOCK, AND LOT NUMBER: L9SE10-24-11. BEING KNOWN AS 1203 Butler Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Annemarie M. Hart and Brian K. Hart.

DANIEL G. SCHMIEG, ESQUIRE

No. 25

BY VIRTUE OF A CERTAIN

WRIT OF EXECUTION

CV-2005-008422

ALL THAT CERTAIN house and lot of land situate in the City of Easton, County of Northampton and State of Pennsylvania, and commonly known as No. 531 Burke Street, Easton, Pa., and being more particularly bounded and described as follows, to wit:

BEGINNING at a point at the Northeast corner of Burkes and McCartney Streets, thence Northwardly along the Eastern building line of McCartney Street 48.2 feet to a point; thence eastwardly at right angles to McCartney Street and along line of lands now or late of Wilson D. Brinker 47.5 feet to a point; thence southwardly along land of which this was a part, parallel to McCartney Street, 48.2 feet to a point in the northern building line of Burke Street; thence westwardly along the said building line 47.5 feet to a point, the place of beginning.

BEING the same premises conveyed by Judith Ann Kressler, single

and John H. Kressler and Nancy Kressler, individually and as Trustees under a certain Declaration of Trust, by Quit Claim Deed recorded in the Northampton County Recorder of Deeds Office in Volume 739 on Page 86 to John H. Kressler and Nancy L. Kressler, his wife; and the said John H. Kressler died October 24, 1989, whereupon title vested solely in his widow the said Nancy L. Kressler, by virtue of the Pennsylvania law relating to tenancy by the entirety.

TITLE TO SAID PREMISES IS VESTED IN Douchka Nikolic-Dingler, by Deed from Nancy L. Kressler, widow, dated 04-09-96, recorded 05-01-96, in Deed Book 1996-1, page 40925.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9NE2A-22-5.

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

SEIZED AND TAKEN into execution of the writ as the property of Douchka Nikolic-Dingler a/k/a Douchka Ding.

DANIEL C. SCHMIEG, ESQUIRE

No. 26

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-009138**

ALL THAT CERTAIN messuage, tenement, lot or piece of land with the improvements there unto belonging, situate in the Borough of Bangor (formerly Washington Township) in the County of Northampton and State of Pennsylvania, bounded and described as follows to wit:

BEGINNING at a corner on land now or late of Jacob Utt on North Main Street, Bangor: thence along said street 36 feet more or less to a corner of land now or late of Sarah Rutt, 330 feet more or less or less

to a corner of land now or late of John Brown; thence by the same 36 feet, more or less to a corner; thence lands now or late of Jacob Utt, 330 feet, more or less, to the place of beginning.

Tax Parcel No. D9SE3A-2-4-0102.

BEING KNOWN AS 771 North Main Street, Bangor, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Kim Young and Earl R. Young.

JOSEPH A. GOLDBECK, JR.,
ESQUIRE

No. 27

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-002211**

ALL THAT CERTAIN tract or parcel of land situate along the easterly side of the Hellertown-Leithsville Road (Pennsylvania State Highway Route No. 530) in the Township of Lower Saucon, County of Northampton and Commonwealth of Pennsylvania, bounded and described according to a survey thereof made the 22nd day of May, 1952, by Leonard M. Fraivillig Company, Engineers, Bethlehem, Pennsylvania, as follows, to wit:

BEGINNING at a stake the intersection of the easterly side of the Hellertown-Leithsville Road (Pennsylvania Highway Route No. 530), with the westerly side of the Township Road, Route No. 731; thence extending along the easterly side of the said Hellertown-Leithsville Road, the three following courses and distances, to wit: (1) North twenty-one degrees twenty-eight minutes East sixty-three and thirty-five one hun-

dredths (63.35') feet to a stake, (2) North twenty-three degrees thirty-six minutes East sixty-three (63') feet to a stake and (3) North twenty-four degrees thirty minutes East a distance of four hundred ninety and sixty one-hundredths (490.60') feet to an iron pipe in line of land of Barry C. Grubb; thence extending South sixty-five degrees thirty minutes East along land of said Barry C. Grubb, a distance of one hundred eleven and ninety-six one-hundredths (111.96') feet to an iron pipe on the westerly side of a public road (Township Route No. 731); thence extending southwardly along the westerly side of the said public road the two following courses and distances to wit: South thirty-four degrees seventeen minutes West three hundred fifty-three and thirty-four one hundredths (353.34') feet to a point and South thirty-four degrees twenty-five minutes West a distance of two hundred seventy-two and thirty one-hundredths (272.30') feet to the stake on the easterly side of Hellertown-Leithsville Road, the point, the place of beginning.

EXCEPTING THEREFROM AND THEREOUT that part of said parcel of land, more particularly described as follows:

ALL THAT CERTAIN lot or parcel of land situate along the easterly side of the Hellertown-Leithsville Road (Pennsylvania State Highway Route No. 530), in the "Township of Lower Saucon, County of Northampton and Commonwealth of Pennsylvania, bounded and described according to a survey made the 22nd day of May, 1952, by Leonard M. Fraivillig Company, Engineers, Bethlehem, Pennsylvania, as follows, to wit:

BEGINNING at a point on the easterly side of the Hellertown-Leithsville Road (Pennsylvania State Highway Route No. 530), said point of beginning being the Southwest corner of land now or late of Barry C. Grubb; thence extending South twenty-four degrees thirty minutes West along the easterly side of the Hellertown-Leithsville Road a distance of eighty and zero one-hundredths (80.00') feet to a point; thence extending South across land of Harvey W. Murray, of which this conveyance is a part, a distance of ninety-eight and seventeen one-hundredths (98.17') feet to a point on the westerly side of the Township Road, Route No. 731; thence extending North thirty-four degrees seventeen minutes East along the westerly side of the aforesaid Township Road, a distance of eighty-one and eighteen one-hundredths (81.18') feet to a point the Southeast corner of land now or late of Barry C. Grubb; thence extending North sixty-five degrees thirty minutes West along land of the aforesaid Barry C. Grubb, a distance of one hundred eleven and ninety-six one-hundredths (111.96') feet to the point on the easterly side of the Hellertown-Leithsville Road, the point the place of beginning.

ALSO EXCEPTING THEREON AND THEREOUT that part of said parcel of land, more particularly described as follows:

ALL THAT CERTAIN lot or tract of land situated on the East side of the Leithsville-Hellertown Road (L.R. 530), in the Lower Saucon Township, Northampton County, Pennsylvania, bounded and described according to a survey and plan made the 16th day of April, 1977, by

Samuel H. Brown, Registered Surveyor of Bethlehem, Pennsylvania.

BEGINNING at a point on the Easterly side of the Leithsville-Hellertown Road (L.R. 530) said point being the Southwest corner of land of Martin P. and Grace C. Csillag and the Northwest corner of land of the Grantor herein; thence along land of Martin P. Csillag South 65 degrees 30 minutes East 98.17 feet to a point on the Westerly side of Township Road 371; thence along same South 34.17 feet West 25.00 feet to an iron pipe set for a corner; thence through lands now or late of John Confalone, et al, North 62 degrees 40 minutes 23 seconds West 94.03 feet to an iron pipe set for a corner on the Easterly side of the Leithsville-Hellertown Road; thence along the same North 24 degrees 30 minutes East 20.00 feet to the place of beginning.

CONTAINING 2,184.33 square feet in area.

BEING KNOWN AS 1917 LEITHSVILLE ROAD, HELLERTOWN, PA 18055.

BEING THE SAME PREMISES which Edward W. Hill and Dolores M. Hill, his wife, by Deed dated August 28, 1997 and recorded August 29, 1997 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 1997-1, Page 093469, granted and conveyed unto MICHAEL J. KIEFER and TRACY L. KIEFER, husband and wife.

PARCEL #R7-11-7A.

THEREON BEING ERECTED a split-level dwelling with brickfaced exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Michael J. Kiefer and Tracy L. Kiefer.

GREGORY JAVARDIAN, ESQUIRE

No. 28

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-003083**

ALL THAT CERTAIN brick messuage or tenement and lot or piece of ground situated on the West side of Sixth Street, in the City of Easton, County of Northampton and State of Pennsylvania.

BEGINNING at the distance of 152 feet from the corner of Sixth and Ferry Streets; thence extending along the Western side of Sixth Street aforesaid Northwardly 15 feet to lot held in trust for now or late of Lavina Lerch, wife now or late of David Lerch; thence Westwardly along the same 110 feet to a private alley; thence along the same Southwestwardly 12 feet and 3 inches; thence along the same Southwardly 8 feet to lot now or late of John Slough; thence Eastwardly along the same 120 feet to the place of beginning.

BOUNDED on the East by Sixth Street aforesaid, on the North by lot held in trust now or late of Lavina Lerch, on the West by the aforesaid private alley and on the South by lot now or late of John Slough aforesaid.

BEING known as 31 South Sixth Street, Easton, PA 18042-4462.

BEING also known as Northampton County Tax Parcel Identifier No. L9SE2A-19-3.

Being Parcel No. L9-SE2A-19.3

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

SEIZED AND TAKEN into execution of the writ as the property of Edward Acevedo and Sharon Acevedo.

TERRENCE J. McCABE,
ESQUIRE

No. 29
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-003828

ALL THAT CERTAIN lot or parcel of land situate at the northwest corner of Spruce Street and Rentzheimer Drive, in the Borough of Hellertown, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the northerly side of Spruce Street, distant seventeen and twenty hundredths feet (17.20') westwardly along the said Northerly side of Spruce Street from the point where the northerly side of Spruce Street extended eastwardly intersects the westerly line of Rentzheimer Drive extended southwardly; thence extending south eighty-eight degrees fifteen minutes west (S 88 degrees 15' W) along the northerly side of Spruce Street a distance of seventy-two and fifty-five one-hundredths (72.55') feet to a point in line of Lot "G" Rentzheimer Farm; thence extending north one degrees forty-five minutes west (N 1 degree 45' W) along the dividing line between Lot G and Lot H, a distance of one hundred eleven and ninety-six hundredths feet (111.96') to a point in line of Lot Number 1, Block "D", Rentzheimer Farm; thence extending north eighty-six degrees forty-six minutes fifty-eight seconds east (N 86 degrees 46' 58" E) along the dividing line between Lot 1 and Lot H, a distance of seventy-one and ninety-five hundredths (71.95') feet to a point on the westerly side of Rentzheimer Drive, thence extending southwardly along the said westerly side of Rentzheimer Drive, along a curve, curving to the right,

having a radius of three thousand four hundred ninety-four and sixty hundredths feet (3,494.60') an arc distance of ninety-seven and eighty-six hundredths (97.86') feet to a point of compound curve; thence extending southwestwardly, along a curve, curving to the right, having a radius of fifteen (15') feet an arc distance of twenty-five and sixty-one one-hundredths (25.61') feet to the point of tangent on the northerly side of Spruce Street, the point, the place of Beginning.

Tax Map # Q7SW3B-16-10.

BEING the same premises which Manuel F. Cerqueira and Joseph A. Cerqueira, executors of the last Will and Testament of Margaret Grube by Deed dated November 23, 1994 and recorded in the Northampton County Recorder of Deeds Office on November 28, 1994 in Deed Book Volume 1994-6 Page 100050, granted and conveyed unto Victor D. Henriques and Theresa J. Henriques, husband and wife.

BEING KNOWN AS 220 Rentzheimer Drive, Hellertown, Pennsylvania.

THEREON BEING ERECTED a ranch style stone dwelling with shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Victor D. Henriques and Theresa J. Henriques.

JOSEPH REJENT, ESQUIRE

No. 30
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-008402

ALL THAT CERTAIN frame dwelling house and lot of ground situate on the North side of Northampton Street, in said City of Easton, County of Northampton and State of Pennsylvania, containing in front or

breadth on said Northampton Street 17 feet, more or less, and extending Northwardly of the same width in depth to Wood Street, bounded on the North by said Wood Street, East by property late of Edwin Balliet, now of Bertha E. Bveiter, South by said Northampton Street, and West by property of the Easton School District, the middle of the partition dividing the property hereby conveyed and the adjoining property on the East being the dividing line, known as 741 Northampton Street, Easton, Pennsylvania.

PARCEL NO. L9SEI2B-16-14.

BEING THE SAME PREMISES which Virginia Reilly by Deed dated January 20, 2000 and recorded March 29, 2000 in Northampton County Deed Book Volume 2000-1 Page 35971, granted and conveyed unto John Liming.

PARCEL NO. L9SE1B-16-14.

THEREON BEING ERECTED a commercial/apartment dwelling with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of John Liming and United States of America.

JOSEPH REJENT, ESQUIRE

No. 31

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2002-001860**

All that certain message or tenement and lot or parcel of ground situate along the Southwesterly side of Fiot Street between Cherokee Street and Schoenen Street and being known as No. 526 Fiot Street, partly in the City of Bethlehem, County of Northampton, Pennsylvania, and partly in the Borough of Fountain Hill, County of Lehigh,

bounded and described according to a survey thereof made the 15th day of January, 1964 by Leonard M. Fraivilling Co., Engineers, Bethlehem, Pennsylvania, as follows, to wit:

Beginning at a point on the Southwesterly side of Fiot Street, a distant 71.39 feet Northwesterly along the Southwesterly side of Fiot Street from its intersection with the Northwesterly side of Schoenen Street; thence extending North 32 degrees 4 minutes West along the Southwesterly side of Fiot Street, a distance of 16.64 feet to a point in line with the middle of the partition or party wall between the building on the premises herein conveyed and the building on the premises adjoining to the Northwest known as No. 528 Fiot Street, thence extending South 57 degrees 56 minutes West and passing through the middle of the aforementioned party wall, a distance of 120 feet to a point in line of land of James Trimble; thence extending South 32 degrees 4 minutes East along land of the aforesaid James Trimble, a distance of 16.64 feet to a point; thence extending North 57 degrees 56 minutes East and passing through the middle of the partition of party wall between the building on the herein conveying premises and the building on the premises adjoining to the Southeast known as No. 524 Fiot Street a distance of 120 feet; to the point on the Southwesterly side of Fiot Street, the place of beginning.

HAVING THEREON ERECTED A DWELLING KNOWN AS 526 FIOT STREET, BETHLEHEM, PA 18015.

PARCEL: P6SW2D-4-1E.

BEING THE SAME PREMISES WHICH Robert Morgan by deed dated 10/31/00 and recorded 12/

20/05 in Northampton County Deed Book 2005-1, Page 530880 granted and conveyed unto William Blazofsky.

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

SEIZED AND TAKEN into execution of the writ as the property of William Blazofsky.

LEON P. HALLER, ESQUIRE

No. 32

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-008287**

ALL THAT CERTAIN messuage or tenement and lot or tract of land situate in the Borough of Nazareth, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING on the North side of South Street, derived from Lots Nos. 75, 76, 77, 78 and 79 as designated on a Plan or Draft entitled Fairview Terrace, and recorded at Easton, Pennsylvania in Map Book 2, Page 66, being Lot No. 31 South Street.

CONTAINING in front on the North side of said South Street 16 1/2 feet and extending of that width in depth between parallel lines North 134 feet to Paradise Alley.

BOUNDED on the North by Paradise Alley; on the East by Lot No 33; on the South by South Street; and on the West by Lot No. 29.

IT BEING THE SAME PREMISES which Jerry D. Dech and Linda M. Dech, his wife, by Deed dated September 26, 1997 and recorded in the Office for the Recording of Deeds in and for the County of Northampton at Easton, Pennsylvania in Volume 1997-1, Page 105488, did grant and conveyed unto Mark A. Koplin

and Katherine J. Koplin, his wife, Grantors herein.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: K7NE2A-2-11.

BEING KNOWN AS 31 South Street, Nazareth, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Bryon Stevenson.

DANIEL G. SCHMIEG, ESQUIRE

No. 33

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2006-000709**

ALL THAT CERTAIN Northern one-half of a double frame house, known as No. 22 South Tenth Street, Easton, Pennsylvania and lot or piece of land situated on the East side of South Tenth Street, in the City of Easton, County and State aforesaid, bounded and described as follows, to wit:

CONTAINING in front on the East side of said South Tenth Street seventeen (17) feet, more or less and extending Eastwardly of the same width in depth eighty-seven feet and three inches (87' 3") to the property now or late of William Semple, bounded on the North by a ten feet wide private alley and property now or late of Max Wix, on the East by property now or late of William Semple, on the South by the Southern one-half of said double dwelling now or late the property of Harry H. Tinsman and on the West by said South Tenth Street. The center line of the middle partition wall between this house and the house adjoining it on the South to be the dividing line between the two properties.

TITLE TO SAID PREMISES IS VESTED IN Jeffrey L. Heinrich,

single by Deed from Lucille C. Beisel, widow dated 5/24/2000 and recorded 5/25/2000 in Record Book Volume 2000-1 page 61836.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SE1A-24-23.

SEIZED AND TAKEN into execution of the writ as the property of Jeffrey L. Heinrich.

DANIEL G. SCHMIEG, ESQUIRE

No. 34

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2006-000593**

ALL THAT CERTAIN messuage, tenement and tract or piece of land situate in the City of Easton, Northampton County, Pennsylvania, together with the improvements thereon erected, presently known and designated as No. 1125 Jackson Street, bounded and described as follows:

BEGINNING at the northeast corner of Jackson Street and Elder Street; THENCE east along the north side of Jackson Street 20 feet to a point; THENCE at right angles north 140 feet to Juniper Street; THENCE west along the south side of Juniper Street 20 feet to Elder Street; THENCE along the east side of Elder Street south 140 feet to the point, the place of beginning.

Vesting Information:

Vested by: Special Warranty Deed dated 2/23/04, given by Joseph E. Coughlin and Freda S. Coughlin, husband and wife to Paul A. Berger, married recorded 2/27/04 in Book: 2004-1 Page 73007.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9NE4D-5-10.

BEING KNOWN AS 1125 Jackson Street, Easton, Pennsylvania.

THEREON BEING ERECTED a two story single dwelling.

SEIZED AND TAKEN into execution of the writ as the property of Paul A. Berger.

DANIEL G. SCHMIEG, ESQUIRE

No. 35

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-009088**

ALL THAT WESTERN half of a certain double dwelling (frame) house and lot of land situate on the North side of Burke Street in the City of Easton, County of Northampton and State of Pennsylvania, formerly known as No. 207 Burke Street, now known and designated as No. 219 Burke Street, bounded and described as follows, to wit:

BEGINNING at a point on the North side of said Burke Street 35 feet East of the Eastern building line of Reeder Street; thence Eastwardly along said Burke Street 32 feet 6 inches to a point; thence Northwardly of that width a distance of 105 feet in depth.

BOUNDED on the North by land now or late of A. Brand's Estate, on the East by land now or late of William F. Hagerman (being the Eastern half of the said double dwelling house), on the South by said Burke Street and on the West by land now or late of Timothy A. Stoz.

TITLE TO SAID PREMISES IS VESTED IN Daniel J. Wilson by Deed from Joseph J. Hindelang, dated 9/15/1997 and recorded 9/17/1997 in Volume 1997-1, Page 101176.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9NE2B-7-11.

BEING KNOWN AS 219 Burke Street a/k/a 219 West Burke Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Daniel J. Wilson.

DANIEL G. SCHMIEG, ESQUIRE

No. 36

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION**

CV-2005-008566

ALL THAT CERTAIN messuage, tenement and lot or piece of land situate on the North side of Spring Street, formerly Main Street, in the Borough of West Easton, County of Northampton, Commonwealth of Pennsylvania, known and designated as 153 Spring Street, according to present Borough numbering, bounded and described as follows:

BEGINNING at a corner of Lot #25 on the plan of lots laid out by Jacob B. Odenwelder; thence, extending Eastwardly along said Spring Street 15 feet to property now or late of Joseph Jabarick; thence, extending of that same width in depth Northwardly 140 feet to a twenty-feet-wide alley; being the Western one-half of Lot #26 on said plan. Bounded on the South by said Spring Street, on the West by Lot #25, on the North by an alley and on the East by the remaining one-half of Lot #26.

BEING Northampton County Tax Parcel #L9SW3D Block 11 Lot 8.

BEING THE SAME PREMISES which Mark D. Smith, single and Brenda J. Cox, single, by Deed dated 12/31/86 and recorded 1/5/87 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 717, Page 1006, granted and conveyed unto Kirk A. Fitch, married and Timothy L. Fitch, single.

Being Parcel # L9SW3P-11-8-0835.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Charles R. Clark, Jr.,

Unmarried, by Deed from Kirk A. Fitch and Susan E. Fitch, husband and wife, and Timothy L. Fitch and Kathryn M. Fitch, husband and wife, dated 05-24-95, recorded 05-26-95, in Deed Book 1995-1, page 45598.

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

SEIZED AND TAKEN into execution of the writ as the property of Charles R. Clark, Jr.

DANIEL, G. SCHMIEG, ESQUIRE

No. 37

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION**

CV-2004-001006

TRACT NO. 1

ALL THAT CERTAIN one-half of a double frame messuage or tenement and lot or piece of ground, now known as No. 21 West Fourth Street situate on the North side of Fourth Street between Canal and Main Streets in the Third Ward of the Borough of Northampton, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the North side of West Fourth Street in line of land now or late of John Fandl et us.; thence extending along the latter lot Northward a distance of 130 feet to a point on the South side of an alley; thence in a Westwardly direction along the South side of an alley a distance of 25.3 feet, more or less, to a point in same; thence in a Southerly direction and partly through the center of a party wall separating the above premises from premises 23 West Fourth Street, a distance of 130 feet to a point on the North side of West Fourth Street; thence in an East-

wardly direction along the North side of West Fourth Street a distance of 25.3 feet, more or less, to a point, the place of Beginning.

TRACT NO. 2

ALL THAT CERTAIN tract or lot situate on the North side of West Fourth Street in the Third Ward of the Borough of Northampton, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin on the North side of West Fourth Street (33 feet wide), said iron pin being 129.09 feet West of centerline intersections of Main Street and West Fourth Street; thence along the North right-of-way of West Fourth Street South 64 degrees 22 minutes 20 seconds West 24.50 feet to a point; thence along other lands of Peter J. and Patricia A. Markovcy, North 25 degrees 37 minutes 40 seconds West 130.00 feet to an iron pin set on the South side of a 15 foot wide alley, thence along said alley North 64 degrees 22 minutes 20 seconds East 24.50 feet to an iron pin, thence along land of John S. Fandl and Sue M. Fandl of which this was part, South 25 degrees 37 minutes 40 seconds East 130.00 feet to the place of Beginning.

CONTAINING 3,185.00 square feet of land.

TITLE TO SAID PREMISES IS VESTED IN Ronald J. Meyers Jr. by Deed from Jon D. Odenwelder dated 3/3/2003 and recorded 4/4/2003 in Volume 2003-1, Page 117408.

Premises being: 21 WEST 4TH STREET, NORTHAMPTON, PA 18067.

Tax Parcel No. M4NE4D-1A-1A.

SEIZED AND TAKEN into execution of the writ as the property of

Ronald J. Meyers a/k/a Ronald J. Meyers, Jr.

DANIEL G. SCHMIEG, ESQUIRE

No. 38

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION**

CV-2005-003608

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

BEGINNING at a stake, said stake being on the North building line of Macada Road and one thousand eleven (1011') feet East of the East side of Center Street, in the City of Bethlehem, PA; thence along the said building line of Macada Road, North 87 degrees 35 minutes East one hundred seventeen (117') feet to a stake; thence along the land about to be conveyed to Paul Graber, North 2 degrees 25 minutes West one hundred sixty (160') feet to a stake; thence along land now or late of Edwin Filchner, South 87 degrees 35 minutes West one hundred seventeen (117') feet to a stake; thence along land of Peter Sphaellos South 2 degrees 25 minutes East one hundred sixty (160') feet to the place of beginning.

CONTAINING ten thousand seven hundred twenty (10,720) square feet.

BEING Tax Parcel #M6SE4-7-6.
RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Mark W. Burns and Carol J. Burns, his wife by Deed from Nancy P. Bedner dated 12/14/2001 and recorded 12/17/2001, in Volume 2001-1, Page 271827.

BEING KNOWN AS 285 East Macada Road, Bethlehem, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Mark W. Burns and Carol J. Burns.

DANIEL G. SCHMIEG, ESQUIRE

No. 39

BY VIRTUE OF A CERTAIN

WRIT OF EXECUTION

CV-2004-005301

ALL THAT CERTAIN lot, tract or parcel of land, hereditaments and appurtenances, situated on the north side of Deerfield Drive, in the Township of Upper Nazareth, County of Northampton and Commonwealth of Pennsylvania, being Lot 59 as shown on the subdivision plan of "Hillside Farms", as prepared by Robert L. Collura, Registered Professional Engineer, said plan being recorded 7/20/1999 in the Northampton County Recorder of Deeds Office in Map Book 1999-5 Page 226, bounded and described as follows, to wit:

BEGINNING at an iron pin on the northerly right of way line of Deerfield Drive in line with the easterly property line of Lot 60 of this subdivision; THENCE along the said easterly property line of Lot 60 (1) North 3 degrees 20 minutes 30 seconds East 130 feet to an iron pin in line with land now or formerly of Northampton Farm Bureau Cooperative Association; THENCE along the same (2) South 86 degrees 39 minutes 30 seconds East 100 feet to an iron pin on the westerly property line of Lot 58 of this subdivision; THENCE along the same (3) South 3 degrees 20 minutes 30 seconds West 130 feet to an iron pin on the northerly right of way line of Deerfield Drive; THENCE

along the same (4) North 86 degrees 39 minutes 30 seconds West 100 feet to a place of beginning.

CONTAINING 13,000 square feet or 0.2984 acres, more or less.

Vesting Information:

Vested by: Warranty Deed dated 02/26/01, given by Beazer Homes Corp. to Kevin D. Kelley and Lynda L. Kelley as tenants by the entireties and recorded 04/10/01 in Vol: 2001-1 Page 058004 Instrument #2001013094.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: J8-3-4E-59.

BEING KNOWN AS 381 Deerfield Drive, Nazareth, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Kevin D. Kelly and Lynda L. Kelley.

DANIEL G. SCHMIEG, ESQUIRE

No. 41

BY VIRTUE OF A CERTAIN

WRIT OF EXECUTION

CV-2004-008738

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

BEGINNING at a point where house line of the North side of Liberty Street or alley intersects with property now or late of Rollin F. McKeever: thence along said Liberty Street in an Easterly direction twenty-eight (28) feet and ten (10) inches, more or less, to Church Alley, thence along said Church Alley in a Northerly direction sixty (60) feet to land now or late of Reuben Case; thence along said last mentioned land in a Westerly direction

twenty-eight (28) feet and ten (10) inches, more or less, to said property now or late of Rolling F. McKeever; thence along the same in a Southerly direction sixty (60) feet to the place of BEGINNING, the Western boundary line of said lot passing through the middle of a party wall.

BEING KNOWN AS: 318 Liberty Street, North Catasauqua, PA.

Tax Parcel No.: M4SE4D-27-1.

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

SEIZED AND TAKEN into execution of the writ as the property of Isidro Rodriguez and Madeline Rodriguez.

CHARLES LAPUTKA, ESQUIRE

No. 42

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2006-000111**

ALL THAT CERTAIN parcel, lot or tract of land with improvements thereon, situate in the Boro of Bath, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin at the south east corner of the intersection of Sleepy Hollow Road and State Route 512; thence along State Route 512 South 1 degree 16' East 65.60 feet to an iron pin; thence along land of Mrs. Ada Rabenold, of which this was a part, South 83 degrees 41' East 257.39 feet to an iron pin; thence along land of Albert Lieby North 3 degrees 30' East 349.58 feet to an iron pin (passing over an iron pipe 16.70 feet from the edge of Sleepy Hollow Road); thence along the same South 47 degrees 13' West 375.73 feet to the place of BEGINNING.

CONTAINING 1.24 acres of land. BEING THE SAME PREMISES which Herman C. Wieder and Rebecca E. Wieder, his wife, by their Deed dated December 1, 1994 and recorded at Northampton County Book Volume 1994-6, page 102058 granted and conveyed unto Rachelle I. Handlovic and Alice M. Handlovic, Grantors herein.

NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NUMBER MAP: K6 BLOCK: 5 LOT: 11A.

BEING KNOWN AS 111 Sleepy Hollow Road, Bath, Pennsylvania.

THEREON BEING ERECTED a ranch style log dwelling with shingle roof; detached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Christy Faust.

SHILPA PATEL, ESQUIRE

No. 43

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-000583**

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

BEGINNING at a point in the middle of a public road and land of Frank Gum; a thence by the same and land of Calvin Houck, South 7 degrees West 31.1 perches to a stone; thence by land of Jacob Dreisbach, South 68 3/4 degrees East 10.5 perches to a stone; thence by the same South 13 degrees East 18.8 perches to a point; thence by land of Reuben Achenbach South 83 degrees East 2.9 perches to a post; thence along the Bangor and Portland Railroad, North 3 degrees East 48.4 perches to a post; thence through the middle of

the aforesaid public road and land of Ferdinand Dreisbach North 71 3/4 degrees West 15.8 perches to the place of beginning.

CONTAINING 3 acres and 135 perches strict measure.

NOW BEING KNOWN AS 858 Gum Road, Pen Argyl, Pennsylvania.

BEING KNOWN AS UNIFORM PARCEL IDENTIFIER No. F8, BLOCK 16, LOT 1A.

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

SEIZED AND TAKEN into execution of the writ as the property of Robert K. Schmitt, Jr. and Marcia Schmitt.

PINA S. WERTZBERGER,
ESQUIRE

No. 45
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2006-000012

ALL THAT CERTAIN lot or tract of land with building improvements erected thereon lying in the Northwest corner of Washington Avenue and Deibert Alley as shown on a plan of survey for Valley Housing Development Corporation, prepared by the Martin H. Schuler Company, Engineering and Surveyors of Allentown, Pennsylvania; situated in the Borough of Northampton, Northampton County, and the Commonwealth of Pennsylvania more particularly described as follows:

BEGINNING at a point formed by the intersection of the northern property line of Deibert Alley (16.00 feet wide) with the western property line of Washington Avenue (45.00 feet wide); thence, extending along the said northern property line of Deibert Alley South 78

degrees 22 minutes 11 seconds West 147.50 feet to a point; thence, extending along the eastern side of Line Alley (16.00 feet wide) North 12 degrees 00 minutes 00 seconds West 99.05 feet to a point; thence, extending along the lands of now or late Carol J. Simcoe North 78 degrees 00 minutes 00 seconds East 147.50 feet to a point; thence, extending along the western property line of Washington Avenue, aforementioned, South 12 degrees 00 minutes 00 seconds East 100.00 feet to the place of beginning

BEING Known as 2174 Washington Avenue, Northampton, PA 18067.

COUNTY TAX PARCEL NO. L4SW1C-9-2.

BEING THE SAME PREMISES which Washington Apartment Associates, a PA Limited Partnership of Correction by Deed dated 12/23/1996 and recorded 12/24/1996 in the County of Northampton in Deed Book 1996-1 page 134430, conveyed unto Washington Apartments Associates, a PA Limited Partnership, in fee.

THEREON BEING ERECTED a two story commercial retail/apartment building with wood exterior and flat roof.

SEIZED AND TAKEN into execution of the writ as the property of Valley Housing Development Corporation t/a Washington Apartments Associates.

ROBERT A. BADMAN, ESQUIRE

No. 46
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2006-000013

ALL THAT CERTAIN messuage, tenement and lot or piece of land, situate in the City of Bethlehem, County of Northampton and Com-

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

BEGINNING at a stone, now or formerly in the lands of Samuel Win Billiard, thence by the same South 01 degree East 11 perches to a stone: thence North 87 1/2 degrees West 7.3 perches to a stone; North 01 degree West 11 perches to a stone South 87 1/2 degrees East 7.3 perches to the place of beginning.

BEING known as 1136 East Fourth Street, Bethlehem. Pennsylvania 18015.

COUNTY TAX PARCEL NO. P6SE2B-1 1-1

BEING THE SAME PREMISES which Hilltop Estates, Inc., PA Corporation by Deed dated 7/17/1999 and recorded 7/31/1999 in the County of Northampton in Deed Book 767 page 197, conveyed unto 1136 East Fourth Street Associates, a PA Limited Partnership, in fee.

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

SEIZED AND TAKEN into execution of the writ as the property of Valley Housing Development Corporation t/a 1136 East Fourth Street Associates.

ROBERT A. BADMAN, ESQUIRE

No. 47

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2004-002433**

ALL THAT CERTAIN message or tenement and lot or piece of ground situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, known as 24 West Garrison Street, according to the present city numbering, bounded and described as follows, to wit:

BEGINNING at a point in the Northern line of West Garrison

Street, said point being forty feet East of where the Northern line of West Garrison Street intersects with Eastern line of Radley Street; thence extending Eastwardly along the Northern line of West Garrison Street a distance of twenty (20) feet to a point, said point being in the extended middle of a party or partition wall separating properties known as 22 and 24 West Garrison Street; thence extending Northwardly between parallel lines of that said width of twenty (20) feet at right angles to West Garrison Street a distance of one hundred two (102) feet, the Eastern line passing through said party or partition wall.

BOUNDED North by property now or late of Peter Kleckner and Valentine Boyerlip, East by property of George W. Heller, South by West Garrison Street, West by property now or late of William Luckenbach

TITLE TO SAID PREMISES IS VESTED IN Lonnie Kohler and Mary Kohler, husband and wife by Deed from West Garrison Associates, a PA General Partnership dated 3/22/1996 and recorded 4/22/1996, in Record Book Volume 1996-1, Page 036351.

Premises being: 24 WEST GARRISON STREET, BETHLEHEM, PA 18017.

Tax Parcel No. P6NE1A-20-15.

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

SEIZED AND TAKEN into execution of the writ as the property of Lonnie Kohler and Mary Kohler.

DANIEL G. SCHMIEG, ESQUIRE

No. 48

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-004619**

ALL THAT CERTAIN parcel of land situate in Lower Mt. Bethel

Township, Northampton County, Pennsylvania, bounded and described according to a certain subdivision map entitled "Miller's Subdivision", prepared by Dale Kulp, R.S., dated October 24, 1983, and recorded in the Office of Northampton County Recorder of Deeds in Plan Book Volume 83, Page 204, as follows.

BEGINNING at a point being the northeast corner of the premises herein conveyed, and marking the southeast corner of land now of Ann Marie Vreeland and Michael Vreeland, her husband; thence along land now or late of George Ott South 29° 17' 25" East 140 feet to a point; thence along other lands of same South 61° 17' 33" West 403.90 feet to a point; thence along other lands of same North 28° 42' 23" West 140.00 feet to a point; thence along said land of Vreeland North 61° 17' 37" East 402.42 feet to the point of beginning.

Containing 1.295 acres and being Lot No. 1 of the aforesaid subdivision.

KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: MAP: G10 BLOCK: 8 LOT: 13D.

BEING KNOWN AS 9051 North Delaware Drive, Bangor, Pennsylvania.

THEREON BEING ERECTED a one story modular dwelling with siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Denise M. Huff and Christopher A. Huff.

MICHAEL R. NESFEDER,
ESQUIRE

No. 49
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-004054

ALL THOSE CERTAIN two (2) lots situate in the Borough of Bangor,

County of Northampton and State of Pennsylvania designated a Lot Nos. 17 and 18 on the plot of Straub and Scholl, commencing at a corner on the south side of Lot No. 16 on the east side of North First Street (formerly known as Center Street); thence eastward along the division line of said lots eighty-seven (87) feet to a stake on the bank of Martins Creek; thence southward sixty-six (66) feet to a stake by the side of Lot No. 19; thence westward along the dividing line of Lot Nos. 18 and 19 one hundred one (101) feet to the east side of North First Street (formerly known as Center Street); thence northward along the line of said street sixty-six (66) feet to the place of beginning.

Being Lot Nos. 17 and 18 on said plot.

IT BEING THE SAME PREMISES which Bangor Masonic Hall Association through Articles of Merger, now Portland Masonic Hall Association, by its Indenture bearing date the second day of July, A.D. 1997, for the consideration therein mentioned, granted and conveyed unto the said Scott A. Zukowski, and to his 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 1997-1, Page 70415, etc., relation being thereunto had, more fully and at large appears.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: MAP: E9NE2A, BLOCK: 8, LOT: 7.

Being known as 51 North First Street, Bangor, Pennsylvania, 18013; and being Tax I.D. No. E9NE2A-8-7.

THEREON BEING ERECTED a three story commercial building (church) with aluminum siding exterior and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of Scott A. Zukowski.

ALFRED S. PIERCE, ESQUIRE

No. 50

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2005-002694**

All that certain messuage, tenement and parcel or piece of land situate in the Borough of Northampton, County of Northampton and Commonwealth of Pennsylvania, known as 1331 Main Street, bounded and described as follows:

Beginning at a point in Main Street in line of property now or late of M.A. Elizabeth Schall; thence North 31 and 1/4 degrees West for a distance of twenty-five (25.00) feet to a point in line or property now or late of Caroline Klotz; thence along the line of said property now or late of Caroline Klotz, North 58 and 3/4 degrees East for a distance of one hundred forty (140) feet to a point on the West side of an alley; thence along the West side of said alley, South 31 and 1/4 degrees East for a distance of twenty-five (25.00) feet to a point in line of property of M.A. Elizabeth Schall and passing through the party wall of a double frame dwelling, South 58 and 3/4 degrees West for a distance of one hundred forty (140) feet to the place of beginning.

Containing 3,400 square feet of land.

Having erected thereon a dwelling known as 1331 Main Street, Northampton, PA 18067.

Map NO. M4NW2A Block 9 Lot 23.

Being the same premises which Andrew M. Devine by his deed dated 9/5/2003 and recorded 9/11/2003 in the Recorder of Deeds Office of Northampton County, Pennsylvania in Instrument number 2003-1-377717 granted and conveyed unto Joseph F. Cavallo.

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

SEIZED AND TAKEN into execution of the writ as the property of Joseph G. Cavallo.

LOUIS P. VITTI, ESQUIRE

A Schedule of Distribution will be filed by the Sheriff thirty days from the date of the sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten days from the date of filing the Schedule of Distribution.

JEFFREY K. HAWBECKER
Sheriff

Northampton County,
Pennsylvania

CHRISTOPHER T. SPADONI
ESQUIRE
Solicitor to the Sheriff

May 18, 25; June 1

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WILSON AREA SCHOOL DISTRICT, Plaintiff v. FRANKLIN E. SKEPTON, SAFECO INSURANCE COMPANY OF AMERICA, BRESLIN RIDYARD FADERO and DUGGAN AND MARCON, INC., and R.A. TAUBER, INC., Defendants and W.N. RUSSELL & COMPANY, MORGAN COMPANY, INC. and CONTINENTAL CAST STONE EAST BY RUSSELL, Additional Defendants

Motion for Summary Judgment.

Action by plaintiff against defendants claiming alleged construction defects at the Wilson Senior High School building. On June 3, 1992, the school district entered into a general construction contract with Franklin E. Skepton as general contractor. Construction was completed in 1994. Suit was filed in 2001. Safeco Insurance Company of America issued a performance bond on behalf of Skepton naming plaintiff school district as obligee and was accepted by plaintiff as part of its contractual relationship with Skepton. The performance bond provides that Safeco is obligated to remedy all defects that appear within one year of completion of the project. Defendant Safeco asserts that it is entitled to summary judgment because by contract its responsibility is limited to defects which develop within one year of completion of the project. Plaintiff's response is twofold.

First, it asserts that this precise issue was decided adversely to Safeco in a motion for judgment on the pleadings so that the issue may not be revisited by another judge of the Court of Common Pleas on a motion for summary judgment. In *Goldey v. Trustee of the University of Pennsylvania*, 544 Pa. 150, 675 A.2d 264 (1996) the Supreme Court held that coordinate jurisdiction rule applied to bar consideration of "the same kind" of motion as had previously been decided by another judge in the same case. Because the ruling relied upon by plaintiff occurred in a motion for judgment on the pleadings, the coordinate jurisdiction rule does not preclude addressing the issue raised in the summary judgment motion currently pending before the court.

The plaintiff also argues that the doctrine of "nullo tempus occurit republicae", which permits a political subdivision of the Commonwealth to circumvent the applicable statute of limitation, precludes assertion of the one year time limit by Safeco. *Altoona Area School District v. Campbell*, 152 Pa. Commonwealth Ct. 131, 618 A.2d 1129 (1992). A school district is a political subdivision of the Commonwealth. *School District of Philadelphia v. Twer*, 498 Pa. 429, 447 A.2d 222 (1982). While the school district could defeat the assertion that the action is time-barred if the limitation period had its origin in a statute, in the instant case the limitation period is contractual. The doctrine of "nullo tempus occurit republicae" is waivable by the sovereign. *Township of Indiana v. Acquisition and Mergers, Inc.*, 770 A.2d 364 (Pa. Commw. 2001). Further, parties may adopt a limitation of action period by contract. *Insurance Company of North America v. Carnahan*, 446 Pa. 48, 284 A.2d 728 (1971) and *Steward v. North Carolina Mutual Life Insurance Company*, 187 Pa. Super. 270, 144 A.2d 507 (1958). Safeco sought to limit its exposure by contractually incorporating a one-year limitation of action provision consistent with 42 Pa. C.S.A. §5523(3). By doing so, it sought to avoid the school district invoking the doctrine of "nullo tempus occurit republicae". The court found that the school district agreed to the contractual provision, thereby waiving its right to assert the doctrine. The court granted defendant's motion for summary judgment.

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C0048CV2001002431.

Order of Court granting defendant's motion for summary judgment.

DOMENIC P. SBROCCHI, ESQUIRE, for Plaintiff.

JOSEPH F. LEESON, JR., ESQUIRE, for Defendant.

Order of court entered on February 1, 2005 by FREEDBERG, P.J.

OPINION

This matter is before the court on the summary judgment motion of Safeco Insurance Company of America. This is an action by the Wilson Area School District against defendants claiming alleged construction defects at the Wilson Senior High School building. On June 3, 1992, the school district entered into a general construction contract with Franklin E. Skepton as general contractor. Construction was completed in 1994. Safeco Insurance Company of America issued a performance bond on behalf of Skepton naming the plaintiff school district as obligee as required by the Public Works Contractors' Bond Law of 1967, 8 P.S. §191 *et seq.* The performance bond was accepted by the plaintiff as part of its contractual relationship with Skepton. The bond was issued to provide assurance to plaintiff that Skepton would faithfully perform the construction contract. A provision of the bond states:

Now, Therefore, the terms and conditions of this bond are and shall be that if: (a) the principal well, truly and faithfully shall comply with and shall perform the agreement in accordance with the contract documents, at the time and in the manner provided in the agreement and in the contract documents, and if the principal shall satisfy all claims and demands incurred in or related to the performance of the agreement by the principal or growing out of the performance of the agreement by the principal, and if the principal shall indemnify completely and shall save harmless the obligee and all of its officers, agents and employees from any and all costs and damages which the obligee and all of its officers, agents and employees may sustain or suffer by reason of the failure of the principal to do so, and if the principal shall reimburse completely and shall pay to the obligee any and all costs and damages which the obligee and all of its officers, agents and employees may incur by reason of any such default or failure of the principal: and (b) if the principal shall remedy, without cost to the obligee, all defects which may develop during the period of one (1) year from the date of completion by the principal and acceptance of the obligee of the work to be performed under the agreement in accordance with the contract documents, which defects, in the sole judgment of the obligee or its legal successors in interests, shall be caused by or shall result from defective or inferior materials or workmanship, then this bond shall be void: otherwise, this bond shall be and remain in force and effect.

The parties agree that the construction was completed in 1994. In its answer to the motion for summary judgment, plaintiff has admitted that in 1999, in connection with a visual survey, it observed various construction defects in the Wilson High School Building five years after completion of construction of the building and five years after plaintiff had occupied the building for daily use. In answers to interrogatories, plaintiff admitted it discovered construction defects in 1997. The instant suit was filed in 2001.

Defendant Safeco asserts that it is entitled to summary judgment because by contract its responsibility is limited to defects which develop within one year of completion and acceptance of the project. Thus, it asserts that since the project was completed and accepted in 1994, the obligation is to remedy those defects which appeared within one year of that date. Plaintiff's response is twofold. First, it asserts that this precise issue was decided adversely to Safeco in a motion for judgment on the pleadings so that the issue may not be revisited by another judge of the Court of Common Pleas on a motion for summary judgment. Second, it argues that the doctrine of "nullo tempore occurrit republicae" precludes assertion of the one-year time limit by Safeco.

A. Coordinate Jurisdiction Rule

Plaintiff contends that the denial of the motion for judgment on the pleadings which raised the issue now before the court precludes revisiting the issue. The motion for judgment on the pleadings was decided by another judge of this court who ruled that the doctrine of "nullo tempore occurrit republicae" prevented Safeco from invoking the one-year limitation period contained in the bond.

In *Ryan v. Berman*, 572 Pa. 156, 813 A.2d 792, 795 (2002), the Supreme Court set forth the following regarding the coordinate jurisdiction rule:

The salient case on the coordinate jurisdiction rule is *Commonwealth v. Starr*, 541 Pa. 564, 664 A.2d 1326 (1995). It states the rule as follows: '[J]udges of coordinate jurisdiction sitting in the same case should not overrule each others' decisions.' *Id.* at 1331. 'Departure . . . is allowed only in exceptional circumstances such as where there has been an intervening change in the controlling law, a substantial change in the facts or evidence giving rise to the dispute in the matter, or where the prior holding was clearly erroneous and would create a manifest injustice if followed.' *Id.* at 1332. The rule serves 'not only to promote the goal of judicial economy' but also '(1) to protect the settled expectations of the parties; (2) to insure uniformity of decisions; (3) to maintain consistency during the course of a single case; (4) to effectuate the proper and streamlined administration of justice; and (5) to bring litigation to an

end.’ *Id.* at 1331. It is manifest that a judge may not lightly overrule the prior decision of another judge of the same court. In some circumstances, however, application of the rule can ‘thwart the very purpose the rule was intended to serve, *i.e.*, that judicial economy and efficiency be maintained.’ *Salerno v. Philadelphia Newspapers, Inc.*, 377 Pa.Super. 83, 546 A.2d 1168, 1170 (1988). Thus we said in *Starr* that departure from the rule of coordinate jurisdiction is allowed ‘where the prior holding was clearly erroneous and would create a manifest injustice if followed.’ 664 A.2d at 1332. Applying the rule of coordinate jurisdiction too rigidly, therefore, can undermine the purposes which justify the rule.

The coordinate jurisdiction rule does not preclude our addressing the issue raised in the summary judgment motion currently pending before us. The ruling relied upon by plaintiff occurred in a motion for judgment on the pleadings. In *Goldey v. Trustees of the University of Pennsylvania*, 544 Pa. 150, 675 A.2d 264 (1996) the Supreme Court held that the coordinate jurisdiction rule applied to bar consideration of “the same kind” of motion as had previously been decided by another judge in the case. It stated at 155, 675 A.2d at 267:

[When] the motions differ in kind, as preliminary objections differ from motions for judgment on the pleadings, which differ from motions for summary judgement, a judge ruling on a later motion is not precluded from granting relief although another judge has denied an earlier motion.

See also, Salerno v. Philadelphia Newspapers, Inc., 377 Pa. Super. 83, 546 A.2d 1168 (1988) and *Austin J. Richards, Inc. v. McClafferty*, 371 Pa. Super. 269, 538 A.2d 11 (1988).

B. Summary Judgment Standards

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

Proper grant of summary judgment hinges upon an evidentiary record that either discloses that the material facts are undisputed or an evidentiary record that contains insufficient evidence to make out a prima facie cause of action. *See Basile v. H&R Block, Inc.*, 777 A.2d 95, 100-101 (Pa. Super. 2001). A plaintiff’s failure to adduce evidence to substantiate any element of the claim entitles the defendant to summary judgment as a matter of law. *See Ertel v. Patriot-News Co.*, 544 Pa. 93, 674 A.2d 1038 (1996), *cert. denied*, 519 U.S. 1008, 117 S.Ct. 512, 136 L.Ed. 2d 401(1996).

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

C. Discussion

Defendant Safeco contends that the provision of the performance bond in issue is a statement of the extent of coverage provided, *i.e.*, all defects which develop during the period of one year from the acceptance of the completed work under the contract. Plaintiff characterizes the clause as establishing a limitation period for commencing an action, *i.e.*, a contractual adoption of the one-year statute of limitation period for commencing actions on performance bonds. 42 Pa. C.S.A. §5523(3).

We need not decide which characterization is correct because under either, defendant Safeco is entitled to summary judgment on the undisputed facts. If Safeco is correct that the provision sets forth its coverage responsibilities, then an action against Safeco is precluded because plaintiff has pleaded the defects developed more than a year after acceptance of the completed project in 1994. If plaintiff is correct that the provision is a contractual adoption of the statute of limitations period of one year for suits on a performance bond, then the action is precluded, because plaintiff has conceded that the action was commenced more than a year after discovery of the defects.

In an attempt to avoid dismissal of the case, plaintiff asserts that the provision is a nullity because of the doctrine of “*nullem tempus occurrit republicae*”. In *Duquesne Light v. Woodland Hills School District*, 700 A.2d 1038 (Pa. Commw. 1997), the Commonwealth Court set forth the following discussion of the doctrine at 1051:

Nullem tempus occurrit regi (‘time does not run against the king’) permits a political subdivision of the Commonwealth to circumvent the applicable statute of limitations. *Altoona Area School District v. Campbell*, 152 Pa.Cmwlt. 131, 618 A.2d 1129 (1992), *petition for allowance of appeal denied*, 535 Pa. 639, 631 A.2d 1010 (1993). In *Altoona*, the court held:

[T]he privilege of *nullum tempus* does not, in the absence of express provision, extend to municipalities, counties or other political subdivisions *unless such political subdivisions are seeking to enforce strictly public rights*, that is, when the cause of action accrues to them in their governmental capacity and the suit is brought to enforce an obligation imposed by law as distinguished from one arising out of an agreement voluntarily entered into by the defendant.

Id. [at 137,] 618 A.2d at 1132 (emphasis added).

A school district is a political subdivision of the Commonwealth. *School District of Philadelphia v. Twer*, 498 Pa. 429, 447 A.2d 222 (1982). As such, a school district may invoke the doctrine of *nullum tempus*. However, in order to defeat the applicable statute of limitations, the right sought to be enforced must be strictly public as well as imposed by law. *Altoona; Mount Lebanon School District v. W.R. Grace & Company*, 414 Pa. Superior Ct. 455, 607 A.2d 756 (1992).

A school district may properly invoke the doctrine of “*nullem tempus occurrit republicae*”¹ to defeat a statute of limitations when a district is seeking to recover damages for defects in construction of a school building housing school children of the Commonwealth. *Stroudsburg Area School District v. RKR Associates/Architects*, 417 Pa. Super. 85, 611 A.2d 1276 (1992).

Relying on this law, plaintiff contends that the provision at issue is a nullity. Unquestionably the school district could defeat the assertion that the action is time-barred if the limitation period had its origin in a statute. However, in the instant case the limitation period is contractual. The doctrine of “*nullem tempus occurrit republicae*” is waivable by the sovereign. *Township of Indiana v. Acquisitions and Mergers, Inc.*, 770 A.2d 364 (Pa. Commw. 2001). Further, parties may adopt a limitation of action period by contract. *Insurance Company of North America v. Carnahan*, 446 Pa. 48, 284 A.2d 728 (1971), and *Stewart v. North Carolina Mutual Life Insurance Company*, 187 Pa. Super. 270, 144 A.2d 507 (1958).

Safeco sought to limit its exposure by contractually incorporating a one-year limitation of action provision consistent with 42 Pa. C.S.A. §5523(3). By doing so, it sought to avoid the school district invoking the doctrine of “*nullem tempus occurrit republicae*”. The school district agreed to the contractual provision, thereby waiving its right to assert the doctrine. Each gained something by the agreement. Safeco limited the duration of its exposure. The school district reduced costs because a bond of unlimited duration would be more expensive than one of limited duration. To accept the argument that the school district could render the provision a nullity by invoking the doctrine of “*nullem tempus occurrit republicae*” would have a significant impact on governmental efforts to reduce the costs of public works.

“It is basic that the obligations of a surety under a bond cannot be extended beyond the plain import of the words used. Obligations not imposed by the terms of the bond cannot be created by judicial construction or interpretation which extends the terms beyond their normal meaning.” *Miller v. Commercial Electric Construction Inc. et al.*, 223 Pa. Super. 216,

¹ The term is synonymous with “*nullem tempus occurrit regi*.”

219, 297 A.2d 487 (1972); *see also*, *Peter J. Mascaro Co. v. Milonas*, 401 Pa. 632, 166 A.2d 15 (1960). To accept the plaintiff's argument would be to ignore precedent and read out of the contract the express provision agreed to by the parties.

WHEREFORE, we enter the following Order of Court:

ORDER

AND NOW, this 1 day of February, 2005, it is hereby ordered that the motion for summary judgment of defendant Safeco Insurance Company of America is granted. Judgment is entered in its favor.

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