

# Northampton County Reporter

(USPS 395-280)

VOL.LIV

EASTON, PA December 28, 2006

NO. 104

**In Re: Estate of Albena M. Fritts, Deceased**

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2. Thanks to the 2006 Volunteer CLE Presenters  
3. 2007 Calendar of Events

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

#### **Northampton County Administrative Orders:**

Order 2006-13—In Re: Central Booking Procedure—see page 41  
Order 2006-15—Fee Schedule, Civil/Prothonotary—see page 43

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Notices and Orders regarding Interim Amendments to Rules 5001-1(b) and 9076-1 of the Local Rules of Bankruptcy Procedure and Amendments to Rule 1007(b)(1)(E), 1007(b)(3) and (c) of the Interim Local Rules of Bankruptcy Procedure—see page 48

**NORTHAMPTON COUNTY BAR ASSOCIATION  
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***Northampton County Reporter***

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

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Robert C. Brown, Jr., Esquire

Editor

**NOTICES TO NCBA MEMBERS—BAR NEWS**

**INCLUDED IN THIS ISSUE:**

**NCBA Annual Meeting**—Thursday, January 18, 2007, Best Western, Bethlehem

**NCBA and PBI/CLE Calendar of Events**

***Northampton County Administrative Orders:***

**1. Administrative Order 2006-15—Fee Schedule, Civil/Prothonotary**—see page 43.

**2. Amended Administrative Order 2006-13—Central Booking Procedure**—see page 41.

**United States District Court—Eastern District of PA**

Notices and Orders regarding Interim Amendments to Rules 5001-1(b) and 9076-1 of the Local Rules of Bankruptcy Procedure and Amendments to Rule 1007(b)(1)(E), 1007(b)(3) and (c) of the Interim Local Rules of Bankruptcy Procedure—see page 48

Youth is when you're allowed to stay up late on New Year's Eve. Middle age is when you're forced to.—Bill Vaughn

**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****ALEXANDER, WALTER ADRIAN a/k/a WALTER A. ALEXANDER a/k/a WALTER ALEXANDER, dec'd.**

Late of 536 Greenwood Avenue, Bethlehem, Northampton County, PA

Executor: Dennis W. Alexander, 3 Olde Hickory Path, Westborough, MA 01581

Attorneys: Stevens & Lee, 190 Brodhead Road, Suite 200, P.O. Box 20830, Lehigh Valley, PA 18002-0830

**BEIL, PAULINE J. a/k/a PAULINE JOSEPHINE BEIL a/k/a PAULINE BEIL a/k/a PAULINE M. BEIL, dec'd.**

Late of 1286 Blue Mountain Drive, Danielsville, Northampton County, PA

Personal Representatives: Josephine M. Himmelwright and Luther E. Beil c/o James A. Ritter, Esquire, 111 E. Harrison St., Suite 2, Emmaus, PA 18049-2916

Attorney: James A. Ritter, Esquire, 111 E. Harrison St., Suite 2, Emmaus, PA 18049-2916

**BLITZ, PAULINE M., dec'd.**

Late of the Borough of Bangor, Northampton County, PA  
Executrix: Karen Bossert 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

**BRADOKA, JOHN a/k/a JOHN C. BRADOKA, dec'd.**

Late of the City of Bethlehem, Northampton County, PA  
Executor: Scott Bradoka c/o Littner, Deschler & Littner, P.O. Box 1407, 512 N. New Street, Bethlehem, PA 18018  
Attorneys: Littner, Deschler & Littner, P.O. Box 1407, 512 N. New Street, Bethlehem, PA 18018

**CHECK, HELEN M. a/k/a HELEN CHECK, dec'd.**

Late of the City of Bethlehem, Northampton County, PA  
Executor: William J. Scherbak c/o Littner, Deschler & Littner, P.O. Box 1407, 512 N. New Street, Bethlehem, PA 18018  
Attorneys: Littner, Deschler & Littner, P.O. Box 1407, 512 N. New Street, Bethlehem, PA 18018

**GABOR, ROBERT C., SR., dec'd.**

Late of the Township of Williams, Northampton County, PA  
Executor: Robert C. Gabor, Jr. c/o Thomas L. Walters, Esquire, Lewis and Walters, 46 South Fourth Street, P.O. Box A, Easton, PA 18044-2099  
Attorneys: Thomas L. Walters, Esquire, Lewis and Walters, 46

South Fourth Street, P.O. Box  
A, Easton, PA 18044-2099

**GRAY, CARL C., SR.**, dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Jenifer G. Lowman  
c/o Thomas L. Walters, Esquire, Lewis and Walters, 46 South Fourth Street, P.O. Box A, Easton, PA 18044-2099

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

**SCHANEBERGER, MARY E.**, dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executor: Keystone Nazareth Bank and Trust Co., 1620 Pond Road, Allentown, PA 18104

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

**WALTZ, ELSIE L.**, dec'd.

Late of the Township of Forks, Northampton County, PA

Executrix: Julie Ann Butler  
c/o Theresa Hogan, Esquire, Attorney-at-Law, 340 Spring Garden Street, Easton, PA 18042

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

**SECOND PUBLICATION**

**BREINER, ELIZABETH A. a/k/a BETTY ANN BREINER**, dec'd.

Late of the Borough of Wilson, Northampton County, PA

Executor: Frederick C. Breiner  
c/o Theresa Hogan, Esquire, Attorney-at-Law, 340 Spring Garden Street, Easton, PA 18042

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

**DENICOLA, IRENE E.**, dec'd.

Late of Bangor, Northampton County, PA

Co-Executors: Denise Grogg and Terence Grogg, 612 South Northampton Street, Bangor, PA 18013

Attorneys: Anthony J. Martino, Esquire, Zito, Martino and Karasek, 641 Market Street, Bangor, PA 18013

**FORTUNE, WILLIAM D. a/k/a WILLIAM D. FORTUNE, II a/k/a WILLIAM DAVID FORTUNE**, dec'd.

Late of Palmer Township, Northampton County, PA

Executor: Kenneth E. Fortune  
c/o Glenn T. Roth, Jr., Esquire, 740 Main Street, Bethlehem, PA 18018

Attorney: Glenn T. Roth, Jr., Esquire, 740 Main Street, Bethlehem, PA 18018

**GOOD, RUTH H.**, dec'd.

Late of Hanover Township, Northampton County, PA

Executor: Irvin L. Good, 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

**NOWAK, WILLIAM E. a/k/a WILLIAM ELMER NOWAK**, dec'd.

Late of Lower Nazareth Township, Northampton County, PA

Administrator: Walter G. Nowak, 504 Carol Lane, Bath, PA 18014

Attorneys: James A. Bartholomew, Esquire, Scoblionko, Scoblionko, Muir, Bartholomew & Melman, 40 South Fifth Street, Allentown, PA 18101

**SCHULTZ, JOSEPHINE S.**, dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Co-Executors: Ann Marie Reese and John H. Schultz c/o Theresa Hogan, Esquire, Attorney-at-Law, 340 Spring Garden Street, Easton, PA 18042

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

**THIRD PUBLICATION**

**BENNETT, FRANCES A.**, dec'd.

Late of the Township of Palmer, Northampton County, PA  
Executrix: Adriana Bernstein 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

**BENSING, ANNA M.**, dec'd.

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

Co-Executors: Carl A. Laub and Gloria Laub, 318 Main Street, Hellertown, PA 18055  
Attorneys: Peters, Moritz, Peischl, Zulick & Landes, LLP,

1 South Main Street, Nazareth, PA 18064-2083

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

Late of Easton, Northampton County, PA

Executor: Jeffrey Alan Brown c/o Jeffrey F. Hussar, Esquire, 946 Third Street, Whitehall, PA 18052

Attorney: Jeffrey F. Hussar, Esquire, 946 Third Street, Whitehall, PA 18052

**DONCEVIC, MICHAEL S., SR.**, dec'd.

Late of the Borough of Hellertown, Northampton County, PA

Executrix: Dorene A. Svanda c/o William A. Duh, Esquire, 2046 Leithsville Road, Hellertown, PA 18055

Attorney: William A. Duh, Esquire, 2046 Leithsville Road, Hellertown, PA 18055

**HARTUNG, MARY ANN**, dec'd.

Late of Wilson Borough, Northampton County, PA

Administrator: Kim Hartung c/o Dionysios C. Pappas, Esquire, Vasiliadis & Associates, 2551 Baglyos Circle, Suite A-14, Bethlehem, PA 18020

Attorneys: Dionysios C. Pappas, Esquire, Vasiliadis & Associates, 2551 Baglyos Circle, Suite A-14, Bethlehem, PA 18020

**KICHLINE, VIRGINIA E.**, dec'd.

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

Executor: Gary David Kichline c/o William P. Leeson, Esquire, Leeson, Leeson & Leeson, 70 E. Broad Street, P.O. Box 1426, Bethlehem, PA 18016-1426

Attorneys: William P. Leeson, Esquire, Leeson, Leeson & Leeson, 70 E. Broad Street, P.O. Box 1426, Bethlehem, PA 18016-1426

**LANDY, JUNE C.**, dec'd.

Late of 644 Alaska Street, Bethlehem, Northampton County, PA

Executor: Paul B. Landy, Jr. c/o Norman E. Blatt, Jr., Esquire, Scherline & Associates, 512 Walnut Street, Allentown, PA 18101

Attorneys: Norman E. Blatt, Jr., Esquire, Scherline & Associates, 512 Walnut Street, Allentown, PA 18101

**LONGENBACH, LUCILLE B.**, dec'd.

Late of Long Lane, Walnutport, Northampton County, PA

Administrator: Randy P. Longenbach, 8484 PA Route 873, Slatington, PA 18080

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

**OTTO, VIRGINIA M. a/k/a VIRGINIA OTTO**, dec'd.

Late of Easton, Northampton County, PA

Co-Executors: Eileen L. Gloss and James H. Otto, Sr., 825 North 19th Street, Allentown, PA 18104

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

**PALANICA, ROSE J.**, dec'd.

Late of the Borough of Northampton, Northampton County, PA

Executrix: April Palanica c/o Frank M. Skrapits, Esquire,

Affiliated with Steckel and Stopp, 2152 Main Street, Northampton, PA 18067-1211

**SIEBLER, MIRENE J.**, dec'd.

Late of the Township of Forks, Northampton County, PA

Co-Executors: David W. Siebler, 2050 Arndt Road, Easton, PA 18040, Craig R. Siebler, 157 Foxbury Drive, Elizabethtown, PA 17022 and Timothy F. Siebler, 151 N. Main Street, Nazareth, PA 18064

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

**TITA, DOLORES R.**, dec'd.

Late of the Township of Palmer, Northampton County, PA

Executor: Roger Bennett Tita, P.O. Box 834, Saylorsburg, PA 18353

Attorneys: Louis S. Minotti, Jr., Esquire, Minotti & DeEsch, 2240 Northampton Street, Easton, PA 18042

**URBANSKI, ARTHUR N.**, dec'd.

Late of Washington Township, Northampton County, PA

Administrator: Patrick M. Urbanski c/o P. Christopher Cotturo, Esquire, Attorney-at-Law, 75 Bangor Junction Road, Bangor, PA 18013

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

**WAGNER, MARGARET M.**, dec'd.

Late of Upper Nazareth Township, Northampton County, PA

Co-Executrices: Janet F. Sweeney, 62 Willowdale Av-

enue, Nazareth, PA 18064-1071 and Judith Ann Banks, 320 Clearview Avenue, Nazareth, PA 18064-1201

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

**WEIERBACH, EUGENE E.**, dec'd.

Late of the Township of Hanover, Northampton County, PA  
Administratrix: Phyllis Weierbach c/o John J. Bartos, Esquire, 3976 Township Line Road, Bethlehem, PA 18020  
Attorney: John J. Bartos, Esquire, 3976 Township Line Road, Bethlehem, PA 18020

**WILLIAMS, DONALD A.**, dec'd.

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

Executor: Donald R. Williams c/o Kevin F. Danyi, JD, LLM, Danyi Law Offices, P.C., 133 East Broad Street, Bethlehem, PA 18018

Attorneys: Kevin F. Danyi, JD, LLM, Danyi Law Offices, P.C., 133 East Broad Street, Bethlehem, PA 18018

**ZIYACZ, GEORGE**, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Joseph Kovach c/o William P. Leeson, Esquire, Leeson, Leeson & Leeson, 70 E. Broad Street, P.O. Box 1426, Bethlehem, PA 18016-1426

Attorneys: William P. Leeson, Esquire, Leeson, Leeson & Leeson, 70 E. Broad Street, P.O. Box 1426, Bethlehem, PA 18016-1426

**NOTICES OF INCORPORATION**

NOTICE IS HEREBY GIVEN that on June 14, 2006 Articles of Incorporation were filed with the Department of State for:

**1231 BLUE MOON, INC.**

A corporation organized under the provisions of the Pennsylvania Business Corporation Law of 1988, effective October 1, 1989 for the purpose of engaging in all lawful business for which corporations may be incorporated under said act.

JOHN J. McCREESH, III,  
ESQUIRE

7053 Terminal Square  
Upper Darby, PA 19082  
Telephone (610) 734-2160  
FAX (610) 734-2165

Dec. 28

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

The name of the corporation is:

**L&M MANAGEMENT  
GROUP, INC.**

The Articles of Incorporation were filed on November 21, 2006.

LISA A. PEREIRA, ESQUIRE  
BROUGHAL & DeVITO, L.L.P.  
38 West Market Street  
Bethlehem, PA 18018

Dec. 28

**FICTITIOUS NAME  
REGISTRATION NOTICE**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act 295 of 1982, as amended, of intention to file, or the filing of, in the



Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, a Certificate for the conduct of a business in Northampton County, Pennsylvania, under the assumed or fictitious name, style or designation of:

**BARBIE EXPRESS**

with its principal place of business at: 10 Lower Way Road, Easton, PA 18045.

The name and address of the person owning or interested in said business is: Nirmal Singh, 10 Lower Way Road, Easton, PA 18045.

The certificate was filed on December 6, 2006.

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

Dec. 28

**NOTICE OF NON-PROFIT INCORPORATION**

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State, Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on December 6, 2006, with a proposed non-profit corporation formed pursuant to the provisions of the Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the corporation is:

**LEHIGH VALLEY GREEN BUILDERS FORUM**

James R. Fiorentino, Esquire  
JacksonFiorentino, LLC  
60 W. Broad Street  
Ste. 201  
Bethlehem, PA 18018

Dec. 28

**LIMITED LIABILITY COMPANY NOTICE**

NOTICE IS HEREBY GIVEN that on December 4, 2006, Certificate of Organization was filed in the De-

partment of State of the Commonwealth of Pennsylvania for:

**CHARLOTTE AVENUE GP, LLC**

in accordance with the provisions of the Limited Liability Act of 1994.

WENDY A. NICOLosi, ESQUIRE  
BROUGHAL & DeVITO, L.L.P.

38 West Market Street  
Bethlehem, PA 18018

Dec. 28

**NOTICE OF TRANSFER OF ATTORNEYS TO INACTIVE STATUS**

NOTICE IS HEREBY GIVEN that the following Northampton County attorneys have been transferred to Inactive Status by Order of the Supreme Court of Pennsylvania dated November 15, 2006, pursuant to Rule 219, Pa. R.D.E., which requires that all attorneys admitted to practice in any court of this Commonwealth must pay an annual assessment of \$175.00. The Order became effective December 15, 2006.

Anthony, Jr., W. Thomas  
Grant, Susan M.

Monaghan, Dennis J.

Elaine M. Bixler

Secretary of the Board  
The Disciplinary Board of the  
Supreme Court of Pennsylvania

Dec. 28

**JOB POSTING**

**Full-time and Part-time Positions** available. Debtor's rights, bankruptcy and litigation. 0-5 years experience. Licensed in PA or NJ, both a plus. Salary competitive. Fax resume to (610) 252-0806 or e-mail to LeinbachLaw@yahoo.com. Can call (610) 614-1567 to leave message.

Dec. 14, 21, 28; Jan. 4

**PARALEGAL**

Est'd medical malpractice defense law firm seeking exp'd para-

legal for Bethlehem office. Exp in litigation a plus. Send resume to: The Perry Law Firm, LLC, 531 Main St., Suite 102, Bethlehem, PA 18018 or Fax (610) 694-1120.

Dec. 28; Jan. 4

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**SECRETARY**

Greater PA Abstract Company is seeking an experienced full-time Real Estate Secretary. Please call (610) 258-3773 or fax resume to (610) 252-8440.

Dec. 14, 21, 28; Jan. 4

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**SECRETARY**

Secretary for a Title Insurance company approximately 30 hours a week. Fax resume to (610) 923-9101.

Dec. 14, 21, 28

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

The following real estate will be sold by the Sheriff of Northampton County, Pennsylvania, on January 5, 2007 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. 2**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-005491**

TRACT NO. 1

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

BEGINNING at a spike in the middle of the road known as Moyers Lane, said point being at a distance of two hundred seventy two and fifty eight one-hundredths (272.58) feet by the said road on the course North seventy four (74) degrees 00 minutes East from an iron pin at the intersection of the center lines of Moyers Lane and Old Philadelphia Road, THENCE by land of Annie Moyer, North seventeen (17) degrees 00 minutes West, seventy one and five tenth (71.5) feet to an iron pipe, THENCE by land now or late of John Schuler, South seventy four (74) degrees 00 minutes East, one hundred (100) feet to an iron pipe, THENCE by the same, South seventeen (17) degrees 00 minutes East, seventy one and five tenth (71.5) feet to a spike in the middle of Moyers Lane, THENCE by Moyers Lane, South seventy-four (74) degrees 00 minutes West, one hundred (100) feet to a point, the place of BEGINNING.

TRACT NO. 2

ALL THAT CERTAIN piece of ground situated in the Township of Williams, County of Northampton and State of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a spike in the middle of the road known as Moyer's Lane (formerly the road leading from the Delaware River to the Old Philadelphia Road), said point being at a distance of 272.58 feet by the said road on the course N 74° no minutes East from an iron pin at the intersection of the center line of said Moyer's Lane and the north side of the Old Philadelphia Road; THENCE along other land now of Albert Lippey, Jr. and Florence M. Lippey, his wife, N. 17° W 71.5 feet to an iron pin; THENCE by land now or

late of Matthias H. Schuler and wife S 74° no minutes East 30 feet to an iron pin; THENCE through land, of which this is a part, and along land about to be conveyed to Albert G. Lippey, et al, S 17° E 71.5 feet to a point in the middle of Moyer's Lane; THENCE along the center line of said Moyer's Lane N 74° E 30 feet to the point, the place of BEGINNING.

Being the same premises which Elaine M. Premus and Harry Premus, her husband, granted to Elaine Premus and Harry Premus, her husband, dated 1/7/1993 and recorded on 1/8/1933, in DBV & Page 885-169.

DWELLING KNOWN AS 80 Moyer Lane, Easton, PA 18042.

IDENTIFIED as TAX/PARCEL ID#: M9-17-8 in the Deed Registry Office of Northampton County, Pennsylvania.

THEREON BEING ERECTED a two story single dwelling asbestos shingle siding and shingle roof; attached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Harry Premus, Elaine M. Premus and/or occupants.

DANIEL J. MANCINI, ESQUIRE

**No. 4**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-005897**

ALL THAT CERTAIN message or tenement and lot or piece of land situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, known as 320 East Union Boulevard according to present city numbering, bounded and described as follows:

BEGINNING at a point thirteen feet nine inches west from the southwest corner of Union Boulevard and Pulaski Street, said point

being the middle of a party wall between premises hereby conveyed and premises immediately on the east, thence extending along the south side of Union Boulevard westwardly thirteen (13) feet one and one-half (1 1/2) inches to the middle of a party wall between premises hereby conveyed and premises immediately on the west, and of that same width between parallel lines and through the center of the aforementioned party walls southwardly a distance of ninety-two (92) feet to a ten foot wide private alley. BOUNDED on the north by Union Boulevard, on the east by property now or late of Walter Wickert and wife, on the south by said ten foot wide alley and on the west by property now or late of Henry O. Williamson and wife.

BEING THE SAME PREMISES that Keystone Savings Bank, a division of Keystone Nazareth Bank & Trust, its successors and/or assigns, a Pennsylvania corporation, by deed dated December 19, 2003 and recorded December 26, 2003, granted and conveyed unto Fred A. Achey, Individually, Grantor herein, at Northampton County Record Book Volume 2003-1, Page 529043.

PARCEL IDENTIFICATION NO: P6NE1B-24-5.

Premises: 320 East Union Boulevard, Bethlehem, PA 18018, Bethlehem City, Northampton County, Pennsylvania.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Nilsa I. Cruz, single person, by Deed from Fred A. Achey, Individually, dated 05/27/2004, recorded 06/01/2004, in Deed Book 2004-1, page 207582.

PRIOR DEED INFORMATION

TITLE TO SAID PREMISES IS VESTED IN Fred A. Achey, individu-

ally, by Deed from Keystone Savings Bank, a division of Keystone Nazareth Bank & Trust, its successors and/or assigns, a Pennsylvania Corporation, dated 12/19/2003, recorded 12/26/2003, in Deed Book 2003-1, page 529043.

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

SEIZED AND TAKEN into execution of the writ as the property of Nilsa I. Cruz.

DANIEL G. SCHMIEG, ESQUIRE

**No. 5**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-005902**

ALL THAT CERTAIN piece of ground situated in the Borough of Walnutport, Northampton County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point located where the center line of Main Street intersects with a line in South Canal Street, which is parallel to and ten feet (10.0') West of the Easterly curb line of Canal Street; thence along the center line of Main Street, South seventy-seven degrees thirty-eight minutes West (S 77 deg. 38' W) forty-seven and four tenths feet (47.4') to a point; thence along the Easterly side of the Lehigh Canal, land now of the Borough of Walnutport, South eighteen degrees East (S 18 deg. 00' E) (erroneously described in prior deed as South 18 deg. West) and passing through an iron pin at a distance of sixty-eight and four-tenths feet (68.4'), a total distance of one hundred seventeen and eight-tenths (117.8') to an iron pin; thence by land now of the Fritzinger Company, Inc., North sixty-three degrees, forty-five minutes East (N 63 deg. 45' E) and

passing through an iron pin at a distance of eighteen and nine-tenths feet (18.9'), a total distance of forty-eight and five-tenths feet (48.5') to a point in Canal Street; thence by a line in Canal Street parallel to the Easterly curb line and ten feet (10.0') therefrom, South eighteen degrees forty-three minutes East (S 18 deg. 43' E) forty feet (40.0') to a point; thence leaving Canal Street and by land of Frank Kern, North seventy-one degrees thirty eight minutes East (N 71 deg. 38' E) and passing through an iron pin at a distance of sixteen and one-tenths feet (16.1'), a total distance of seventy-two and five-tenths feet (72.5') to an iron pin; thence by other land now or late of Fritzinger Company, Inc., North sixteen degrees thirty minutes West (N 16 deg. 30' W.) and passing through an iron pin at a distance of one hundred eight and three-tenths feet (108.3), a total distance of one hundred thirty-seven and nine-tenths feet (137.9') to the center line of Main Street; thence along the center line of Main Street, South seventy-seven degrees thirty-eight minutes West (S 77 deg. 38' W) seventy-seven and nine-tenths feet (77.9') to the place of Beginning. Having an area of six thousand eight hundred fifteen (6,815) square feet within public right of way and CONTAINING seven thousand eight hundred forty-three (7,843) square feet of usable area, making total of fourteen thousand six hundred forty-eight (14,648) square feet.

BEING THE SAME PREMISES which Thelma S. Fritzinger, by her Deed dated December 7, 1978 and recorded December 8, 1978 at Northampton County Deed Book Volume 592, page 439 granted and conveyed unto Doris J. Bachman.

BEING KNOWN AS: 6-8 Main Street, Walnutport, PA 18088.

PROPERTY ID NO.: J2SW1A.5-1 & J2SW1A.4-1.

TITLE TO SAID PREMISES IS VESTED IN Jamie L. Bachman, an adult individual by deed from Megan J. Boughter and Jamie L. Bachman, co-executrices of the estate of Doris J. Bachman, deceased and Megan J. Boughter and Jamie L. Bachman, adult individuals and specific legatees under the last will and testament of Doris J. Bachman dated 11/15/04 recorded 11/30/04 in Deed Book 2004-1 Page 462461.

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

SEIZED AND TAKEN into execution of the writ as the property of Jamie L. Bachman.

MARK J. UDREN, ESQUIRE

**No. 8**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-008390**

ALLTHOSE CERTAIN two tracts, together with the improvements thereon erected, situate in the City of Easton, County of Northampton, and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

TRACT NO. 1: BEGINNING at the point of intersection of the West side of North Sixth Street and the North side of Church street; thence fifty-two (52) feet North along the West side of North Sixth Street to the property now or late of Charles Schneider; thence West along the land now or late of Charles Schneider one hundred thirty-eight and one half (138.5) feet to the East side of Herster Street; thence South along Herster Street fifty-two (52)

feet to the North side of Church Street; thence East along Church Street one hundred thirty-eight and one half (138.5) feet to the point of beginning.

TRACT NO. 2: ALL THAT CERTAIN tract of land situate in the Fourth Ward of the City of Easton, Northampton County, Pennsylvania, and known and designated as Parcel No. 5 on a Property Disposition Survey Plan of the North Union Street Redevelopment Project Area prepared for the said Redevelopment Authority by Morris Knowles, Inc., dated May 15, 1961.

BEGINNING at a point of intersection of the East side of Hester (Herster) Street and the South side of Church Street; thence South eighty-seven (87) degrees forty-one (41) minutes East one hundred ten and seventy-eight hundredths (110.78) feet along the South side of said Church Street to a point, which point is North eighty-seven (87) degrees forty-one (41) minutes West twenty-four and seventy-eight hundredths (24.78) feet from the intersection of the South side of Church Street and the West side of North Sixth Street; thence South two (2) degrees fifty-three (53) minutes West thirty-six (36) feet to a point; thence North eighty-seven (87) degrees forty-one (41) minutes West twenty-six and forty-nine hundredths (26.49) feet to a point; thence South two (2) degrees twenty-nine (29) minutes West twenty-six (26) feet to a point; thence North eighty-seven (87) degrees forty-one (41) minutes West twenty-nine and forty-four hundredths (29.44) feet to a point; thence South one (1) degree fifty (50) minutes West three (3) feet to a point; thence North eighty-seven (87) degrees forty-one

(41) minutes West fifty-three and seventy-five hundredths (53.75) feet to a point on the east side of said Hester (Herster) Street; thence North one (1) degree fifty (50) minutes East sixty-five (65) feet along the east side of said Hester (Herster) Street to its point of intersection with the south side of said Church Street, the point of beginning, which contains six thousand two hundred seventy-three (6,273) square feet.

BEING THE SAME PREMISES which City of Easton, by Deed dated August 31, 1983 and recorded in Deed Book Vol. 657, Page 323, Northampton County records, granted and conveyed unto Northampton County Industrial Development Authority;

AND the said Northampton County Industrial Development Authority, Garnishee herein, entered into an Installment Sale Agreement pertaining to said premises with Gene T. DiPalma and Maryellen DiPalma, his wife, Defendants herein, dated October 27, 1983, a Memorandum of which is recorded in Record Book M294, Page 675, Northampton County records.

BEING KNOWN AS 22 North Sixth Street, Easton, Pennsylvania.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SE2A-1-14 and L9SE2A-7-6.

THEREON BEING ERECTED a two story brick commercial building with slate roof.

SEIZED AND TAKEN into execution of the writ as the property of Jah Jah Melhem.

BRADLEY D. SISLEY, ESQUIRE

**No. 9**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-006321**

ALL THAT CERTAIN piece, parcel or tract of land lying and being

situate in the Township of Washington, County of Northampton, and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the centerline of Township Road No. 680 leading from Ackermanville to Pen Argyl, THENCE along the northerly line of land now of Thomas Joella North 73 degrees 00 minutes East 178.75 feet to a point marking the North East corner of said Joella land; THENCE along land of Charles E. Williams, et. al. herein North 18 degrees 44 minutes West 363.77 feet to a point in the center of State Legislative Route 48036 leading from Bangor to Delabole; THENCE in and along the center of said Legislative Route South 82 degrees 28 minutes West 169.08 feet to a point at the intersection of the centerlines of said Legislative Route and Township Road No. 680; THENCE in and along the center of said Township Road No. 680 South 11 degrees 27 minutes East 100.00 feet; THENCE still in and along same South 18 degrees 44 minutes East 292.01 feet to the place of BEGINNING.

CONTAINING 1.538 acres.

BEING KNOWN AS: 549 O.W. Road (Washington Township), Bangor, PA 18013.

PROPERTY ID NO.: E9-21-1G.

TITLE TO SAID PREMISES IS VESTED IN Thomas J. Donohue, single by deed from Lorene L. Williams, a single widow dated 6/19/98 recorded 6/23/98 in Deed Book 1998-1 Page 80382.

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

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

MARK J. UDREN, ESQUIRE

**No. 11  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-009255**

ALL THAT CERTAIN lot or piece of ground, situate in the Township of Palmer, County of Northampton, and State of Pennsylvania, being known as Lot No. 149, as shown on the plan of 'Wilden Acres', said map or plan being recorded in Map Book Volume 12, Page 53, Northampton County Records, and being more particularly bounded and described as follows, to wit:

On the North by Lot No. 148 on said plan; on the East by Merion Avenue; on the South by Wilden Drive South; and on the West by Lot No. 150 on said plan.

Containing in front or width, on Merion Avenue, 60.01 feet; in depth or length of 60 feet width along Lot No. 148 120.34 feet; and along Wilden Drive South, 119.68 feet. The premises are presently known and designated as No. 74 Wilden Drive.

IT BEING THE SAME PREMISES which Wilden Acres, Inc., a Pennsylvania corporation, by its indenture bearing date the 15th day of September, 1952 and recorded in the Office for the Recording of Deeds in and for Northampton County, Pennsylvania, in Deed Book C, Volume 90, Page 149, granted and conveyed unto Horace W. Wesley and Catherine E. Wesley, his wife, their heirs and assigns; and the said Horace W. Wesley died on the 21st day of May, 1974, leaving to survive him his wife, Catherine E. Wesley, in whom alone title to the premises did thereupon vest by virtue of the laws of Pennsylvania relating to estates by the entirety.

RECORD OWNER  
TITLE TO SAID PREMISES IS VESTED IN Gary A. Heater and Joanne L. Heater, his wife, by Deed from Catherine E. Wesley, widow, dated 4/19/84, recorded 5/2/84, in Deed Book 663, Page 1024.

Premises being: 74 WILDEN DRIVE SOUTH, EASTON, PA 18045.

Tax Parcel No. M8SE2-19-3.

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

SEIZED AND TAKEN into execution of the writ as the property of Gary A. Heater and Joanne L. Heater.

DANIEL G. SCHMIEG, ESQUIRE

**No. 12  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-005670**

ALL THOSE CERTAIN lots, pieces or parcels of land situate in the Borough of West Easton, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

TRACT NO. 1

COMPRISING two adjacent lots of land as laid out on the Plan of Lots of the South Side Land Company and known and designated as Lots Nos. 178 and 179, beginning at a point in the North line of 9th Street at a distance of 280 feet from the Northwest corner of 9th and North Center Streets; thence extending Westwardly along the North line of 9th Street a distance of 40 feet; thence extending Northwardly of that width in depth between parallel lines at right angles to said 9th street, a distance of 130 feet to a 15 feet wide alley.

**TRACT NO. 2**

COMPRISING two adjacent lots situate on the North side of 9th Street and known and designated on a certain map entitled Map of South Side Land Company Building Lots, recorded in the Office for the Recording of Deeds in and for the County of Northampton at Easton, Pennsylvania in Map Book 1, Page 32, as and by Lots Nos. 180 and 181.

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

BOUNDED on the South by said 9th Street; on the East by Lot No. 182; on the North by said alley; and on the West by Lot No. 179.

BEING the same premises which Donald E. Kline, Executor of the Estate of Donald N. Kline, deceased (a/k/a Donald M. Kline), by Deed dated February 28, 2003, and recorded March 6, 2003, in Book 2003-1, Page 77317, granted and conveyed unto Ryan M. Serrao and Erica S. Boateng, in fee.

PARCEL IDENTIFICATION NO: L9SW3D-13-4.

**RECORD OWNER**

TITLE TO SAID PREMISES IS VESTED IN Giosia Mogavero, by Deed from Ryan M. Serrao and Erica S. Boateng, dated 10/28/2004, recorded 11/09/2004, in Deed Book 2004-1, page 436729.

**PRIOR DEED INFORMATION**

TITLE TO SAID PREMISES IS VESTED IN Ryan M. Serrao and Erica S. Boateng, Joint Tenants with the Right of Survivorship, by Deed from Donald E. Kline, Executor for the Estate of Donald N. Kline, deceased (a/k/a) Donald M. Kline dated 02/28/2003, recorded 03/06/2003, in Deed Book 2003-1, page 077317.

Premises being: 431 9TH STREET, EASTON, PA 18042.

Tax Parcel No. L9SW3D-13-4.

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

SEIZED AND TAKEN into execution of the writ as the property of Giosia Mogavero.

DANIEL G. SCHMIEG, ESQUIRE

**No. 13**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-005728**

ALL THAT CERTAIN lot or parcel of land situate on the north side of Norwood Street between Dearborn Avenue and Traveler Avenue in Ward 16, City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the north right-of-way line of Norwood Street (a 40.00 feet wide street) said point being a common corner of lands herein described and Lot 49 Mill Side Park; thence along the north right-of-way line of Norwood Street, North 85 degrees 00 minutes 00 seconds West 25.00 feet to a point a corner in common with Lot 47 Mill Side Park; thence along Lot 47, North 05 degrees 00 minutes 00 seconds East 110.00 feet to a point in the south street line of Saranac Street (a 15.00 feet wide street); thence along the south street line of Saranac Street, South 85 degrees 00 minutes 00 seconds East 25.00 feet to a point a corner in common with Lot 49 Mill Side Park; thence along Lot 49, South 05 degrees 00 minutes 00 seconds West 110.00 feet to a point being the point and place of beginning. Containing 2,750 sq. ft of land, more



or less. (Said lot also being known as Lot 48 on Plan of Mill Side Park.) Also being known as 1821 Norwood Street, Bethlehem, Northampton County, Pennsylvania, according to present city numbering.

TAX PARCEL IDENTIFIER:  
P7SW4B-3-6A-0204.

BEING PART OF THE SAME PREMISES which Steven J., Inc., a Pennsylvania Corporation, by its Deed dated June 28, 1985 and recorded in the Northampton County Office of the Recorder of Deeds, at Easton, Pennsylvania, on July 2, 1985, in Deed Book Volume 683, Page 602, did grant and convey unto Albert J. Laposh and Sophia V. Laposh. The said Sophia V. Laposh being seised thereof, died on August 19, 2003, whereby title became vested in Albert J. Laposh, Grantor herein.

**RECORD OWNER**

TITLE TO SAID PREMISES IS VESTED IN Robert G. Gruver, by Deed from Albert J. Laposh, widower, dated 08/16/2005, recorded 08/17/2005, in Deed Book 2005-1, page 315111.

**PRIOR DEED INFORMATION**

TITLE TO SAID PREMISES IS VESTED IN Albert J. Laposh and Sophia V. Laposh, husband and wife, by Deed from Steven J., Inc., a Pennsylvania Corporation, dated 06/28/1985, recorded 07/02/1985, in Deed Book 683, page 602.

Premises being: 1821 NORWOOD STREET, BETHLEHEM, PA 18015.

Tax Parcel No. P7SW4B-3-6A-0204.

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

SEIZED AND TAKEN into execution of the writ as the property of Robert G. Gruver.

DANIEL G. SCHMIEG, ESQUIRE

**No. 14**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-002058**

ALL THAT CERTAIN lot or parcel of ground with buildings attached, situate in Millside Park, in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, bounded and described as Lot No. 92 as follows, to wit:

BEGINNING at an iron pipe, said pipe being the Northeast corner of Lot No. 91 of Millside Park, a subdivision recorded in the Northampton County Recorder of Deeds Office in Map Book 7, Page 41, and located South 85 degrees 00 minutes 00 seconds East a distance of 275.00 feet from the Southeast corner of the intersection of Norwood Street and Dearborn Avenue; thence along the Southern right-of-way line of Norwood Street south 85 degrees 00 minutes 00 seconds East a distance of 25.00 feet to an iron pipe, the Northwest corner of Lot No. 93; thence along the Western property line of Lot No. 93 South 05 degrees 00 minutes 00 seconds West a distance of 110.00 feet to an iron pipe, said pipe located on the Northern right-of-way line of Clyde Street, an unopened alley; thence along said Clyde Street North 85 degrees 00 minutes 00 seconds West a distance of 25.00 feet to an iron pipe, said pipe being the Southeast corner of Lot No. 93; thence along the Eastern property line of Lot No. 91 North 05 degrees 00 minutes 00 seconds East a distance of 110.00 feet to an iron pipe, the place of Beginning.

CONTAINING 2,750 square feet or 0.063 acres of land.

TITLE TO SAID PREMISES IS VESTED IN Brenda Gischel, by Deed from Elizabeth J. Brock Hanzl, dated 9-27-02, recorded 10-9-02, in Deed Book 2002-1, page 274888.

Premises being: 1844 NORWOOD STREET, BETHLEHEM, PA 18015.

Tax Parcel No. P7SW3A-5-2B.

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

SEIZED AND TAKEN into execution of the writ as the property of Brenda Gischel a/k/a Brenda Budihas.

DANIEL G. SCHMIEG, ESQUIRE

**No. 15  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-005505**

ALL THAT CERTAIN message, or tenement, and lot or piece of ground situate in the Ninth Ward of the City of Bethlehem, Northampton County, Pennsylvania, on the North side of East Fairview Street (between Elm and Wood Streets known as Lot 16 on "Plan showing Subdivision of property of the D. & H. Pontiac Co.," bounded and described as follows:

BEGINNING at an iron pipe set in the North side of East Fairview Street South seventy-nine degrees no minutes East (S 79 degrees 0 minutes E) distant one hundred fifty-five (155 feet) feet from the northeast corner or intersection of Elm and East Fairview Streets; thence along the dividing line between Lots 16 and 15 North eleven degrees no minutes East (N. 11 degrees 0 minutes E) a distance of

ninety (90 feet) feet to a stake; thence along the dividing line between the rear of Lot 11 East Frankford Street and Lot 16 herein described South seventy-nine degrees no minutes East (S. 79 degrees 0 minutes E), a distance of fifty-five (55 feet) feet to a Pennsylvania Power & Light Company pole; thence along the dividing line between Lots 16 and 17 South eleven degrees no minutes West (S. 11 degrees 0 minutes W) a distance of ninety (90 feet) feet to an iron pipe; thence along the north side of East Fairview Street North seventy-nine degrees no minutes West (N. 79 degrees 0 minutes W) a distance of fifty-five (55 feet) feet to the place of beginning.

ALSO KNOWN AS Northampton County Uniform Parcel Identifier: MAP N6SE3D, BLOCK 21, LOT 9.

BEING THE SAME PREMISES WHICH Louis J. Salvatori, widower, granted and conveyed to Louis J. Salvatori, widower and his daughter, Jane T. Salvatori Gonzalez, the grantors herein, by his deed dated November 18, 1991 and recorded in Northampton County Deed Book Volume 847, page 420.

Being Parcel # N6SE3D-21-9-0204.

**RECORD OWNER**

TITLE TO SAID PREMISES IS VESTED IN Donna Cherry and Sandra Bryant by Deed from Louis J. Salvatori, widower and Jane T. Salvatori Gonzalez, his daughter, dated 12-20-02, recorded 12-27-02 in Deed Book 2002-1, page 366522.

Premises being: 519 EAST FAIRVIEW STREET, BETHLEHEM, PA 18018.

Tax Parcel No. N6SE3D-21-9-0204.

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

SEIZED AND TAKEN into execution of the writ as the property of Donna L. Cherry a/k/a Donna Roverson Cherry and Sandra Bryant.

DANIEL G. SCHMIEG, ESQUIRE

**No. 17  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-002087**

ALL THAT CERTAIN message or tenement and tract of land, together with the improvements thereon erected, known as 1348 East Sixth Street, situate in the City of Bethlehem, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the South line of Sixth Street distant one hundred seventy six and two one-hundredths (176.02) feet West of the southwest corner of Sixth John Streets; THENCE extending along the said south line of Sixth Street westwardly a distance of twenty (20) feet and of that same width between parallel lines and at right angles to Sixth Street southwardly a distance of one hundred (100) feet to a fifteen (15) feet wide alley.

BOUNDED on the north by Sixth Street, on the east by Lot No. 224, on the south by aforementioned fifteen (15) feet wide alley, and on the west by Lot No. 226.

BEING lot numbered two hundred twenty-five (225) according to plan of "Oberly Terrace" as laid out by Foering and Heller and surveyed by R.E. Neumeyer C.E., and plotted by W.R. Schnabel, C.E., said map or plan being entered for record

in the Recorder's Office for Northampton County.

TITLE TO SAID PREMISES IS VESTED IN Kevin Mojica deed from Carlos Martinez deed dated 11/21/03 recorded 11/24/03 in Book 2003-1 Page 490919.

Premises being: 1348 SIXTH STREET, BETHLEHEM, PA 18015.

Tax Parcel No. P7SW1A-14-15.

THEREON BEING ERECIED a single brick apartment dwelling with flat roof.

SEIZED AND TAKEN into execution of the writ as the property of Kevin Mojica.

DANIEL G. SCHMIEG, ESQUIRE

**No. 18  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-002953**

ALL THOSE THREE (3) CERTAIN LOTS, # 14, 15, and 16, or piece of ground, with the messuages and tenements erected thereon, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point two hundred twenty-four and fifty one-hundredths (224.50) feet North from the northeast corner of Hill and Center Streets, a distance of seventy and fifty one-hundredths (70.50) feet to a point in lot now or late of Oliver A. Spengler, and of that same width extending eastwardly one hundred fifteen (115) feet, more or less, to Hottel Avenue.

BOUNDED on the North by lot now or late of Oliver A. Spengler, on the East by Hottel Avenue, on the South by lot now or late of Allen S. Quier and on the West by Center Streets; being known and designated as 1530 Center Street.

BEING THE SAME PREMISES which Anthony J. Ronca and Emma M. Ronca, by Deed dated April 5, 1951 and recorded in the Office for the Recording of Deeds in and for the County of Northampton at Easton, Pennsylvania in Deed Book E, Volume 88, Page 48, granted and conveyed unto Gordon Nichols and Helen Nichols, Grantors herein.

PREMISES: 1530 CENTER STREET.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: N6SE1C-22-5.

THEREON BEING ERECTED a two and one-half story single dwelling with siding exterior.

SEIZED AND TAKEN into execution of the writ as the property of Rene Rodriguez-Perez.

DANIEL G. SCHMIEG, ESQUIRE

**No. 20**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-005847**

All that certain message or tenement and lot or piece of ground situate in the City of Bethlehem, Northampton County, Pennsylvania, known and designated as 1213 Stanhope Street according to present city numbering, and bounded and described as follows, to wit:

Beginning at a point on the North side of Stanhope (formerly Fairview) Street 45 feet West of the intersection of the Northerly line of Stanhope Street with the Westerly line of Renwick Street; thence in a Westerly direction, along the North line of said Stanhope Street, a distance of 60 feet to a point; thence extending Northwardly of that same width of 60 feet between parallel lines, a distance of 100 feet to the southerly line of Lot No. 88 according to Plan of Bethlehem View Tract; being the Westerly 60 feet of Lots 83,

84, 85, 86 and 87 according to said Plan; bounded on the North by a portion of Lot 88 according to said Plan, on the East by the remaining portions of Lots 83, 84, 85, 86 and 87 according to said Plan; bounded on the North by a portion of Lot 88 according to said Plan, on the East by the remaining portions of Lots 83, 84, 85, 86 and 87 according to said Plan, on the South by Stanhope Street, and on the West by Lots 16, 17, 18, 19 and 20 according to said Plan (said Plan is recorded in Map Book 7 Page 31 in the Office of the Recorder of Deeds of Northampton County aforesaid).

Parcel Number: N7NW4D-15-7.

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

SEIZED AND TAKEN into execution of the writ as the property of Celestine Bridges.

JOSEPH A. GOLDBECK, JR.  
ESQUIRE

**No. 21**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-006768**

All those two certain lots or pieces of land with the improvements thereon situate on the West side of Seitz Avenue in the City of Easton, County of Northampton and State of Pennsylvania, designated on the Plan of Lots laid out on the "Ott Farm" by Peter Brady, Civil Engineers, for Charles Seitz and Frederick Seitz in December, A.D. 1891, and recorded in the Office for the Recording of Deeds, etc., at Easton, in and for said County of Northampton, in Books of Maps No. 1, page 24, etc., known as Lots Nos. 56 and 55, Block 17, said lots being bounded and described as follows:

Containing in front on said Seitz Avenue forty (40) feet and extending that width westwardly one hundred and thirty (130) feet to a twenty (20) feet wide alley, known as 831 Seitz Avenue, Easton, Pennsylvania.

Bounded on the North by Lot No. 54, on said plan, on the East side of Seitz Avenue, and on the South by Williams Street, and on the West by said twenty (20) feet wide alley.

TAX PARCEL #: M9NE2A, BLOCK 23, LOT 3.

PROPERTY ADDRESS: 831 Seitz Street, Easton, PA 18042.

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

SEIZED AND TAKEN into execution of the Writ as the property of Efrain Medina.

JOSEPH A. GOLDBECK, JR.  
ESQUIRE

**No. 22  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-003826**

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

BEGINNING at a point (19') feet East of the Northeast corner of Spruce and Peach Streets, on the North side of side Spruce Street; thence extending East along the North side of said Spruce Street nineteen (19') feet; thence North along the land now or late of Fred Seibel one hundred sixteen (116') feet to a twenty (20') feet wide private alley; thence West nineteen (19') feet to land formerly of Cecelia Meyers; thence South one hundred sixteen (116') feet to a point of beginning. The dwelling house thereon

erected being known as #1325 Spruce Street.

BOUNDED on the North by said twenty feet wide alley, on the East by land now or late of Fred Seibel, on the South by said Spruce Street, and on the West by property formerly of Cecelia Meyers.

BEING THE SAME PREMISES conveyed by Associates Consumer Discount Company f/k/a Ford Consumer Discount Company to Ethbaal Pena and Susan Pena, his wife by Deed dated 11/27/1998, and recorded on 12/2/1998, in the Northampton County Recorder of Deeds Office at Deed Book Volume 1998-1, Page 167493.

Tax Parcel #L9SW2C-13-16.

BEING KNOWN AS 1325 Spruce Street, Easton, 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 Ethbaal Pena and Susan Pena, his wife.

THOMAS I. PULEO, ESQUIRE

**No. 23  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-002651**

ALL THAT CERTAIN lots or parcels of land with the buildings erected thereon Situate in the Township of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, known as Lots Nos. 25, 26 and 27, Block F, on Plan of Larkhurst, dated June 7, 1916, and recorded in the Office for the Recording of Deeds in and for Northampton County, at Easton, Pennsylvania, in Map Book 6, Page 38; said Lots are located at the Northeast corner of Middletown Road, and Schweiter Avenue hav-

ing a frontage of 75 feet on Middletown Road extending of that same width in depth a distance of 130 feet.

PARCEL #N7NW3-6-9.

BEING the same premises which Dorris M. Hafer, now by marriage Dorris Prosser, by Deed dated August 19, 2004, and recorded September 2, 2004, in Book 2004-1, Page 344722, as Instrument No. 2004055287, granted and conveyed unto Randal Prosser and Dorris Prosser, Husband and Wife, in fee.

BEING KNOWN AS 2911 Middletown Road, Bethlehem, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Randal Prosser and Dorris Prosser.

STEVEN K. EISENBERG  
ESQUIRE

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**No. 24**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-005956**

ALL that parcel of land in Township of Plainfield, Northampton County, State of Pennsylvania ID# H8SE4-2-5, being known and designated as

BEGINNING at a point in the public road leading from Easton to Wind Gap, THENCE along land now or late of Jacob Iterly, South sixty-six and one-half degrees West ten perches to an iron pin; THENCE by lands now or late of Edwin N. Clewell, South twenty-eight and one-half degrees West four and four-tenths perches to a stone; THENCE by land now or late of Jonathan Stern, North seventy-five degrees East thirteen and seven-tenths

perches to an iron pin in said public road and along lands now or late of Slate Belt Traction Co., North forty-eight degrees West sixty eight feet eight inches to the place of BEGINNING

DEED from Leroy C. Wilcox and Patricia A. Wilcox, h/w and Dolores Hager, sister, as set forth in Vol 2002-1 Page 147705, dated 05/21/2002 and recorded 06/06/2002, Northampton County records, Commonwealth of Pennsylvania.

BEING KNOWN AS: 5665 Sullivan Trail (Plainfield Township), Nazareth, PA 18064.

PROPERTY ID NO.: H8SE4-2-5.

TITLE TO SAID PREMISES IS VESTED IN Nicole R. Ebner by deed from Leroy C. Wilcox and Patricia A. Wilcox, h/w and Dolores Hager, sister dated 5/21/02 recorded 6/6/02 in Deed Book 2002-1 Page 147705.

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

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

MARK J. UDREN, ESQUIRE

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**No. 25**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-006075**

ALL THAT CERTAIN tract of land with buildings erected thereon situate on the north side of the public road leading from Weaversville to Schoenersville, in the Township of East Allen, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a spike in the public road from Weaversville to Schoenersville thence along lands now or late of .... Schlegel, North 1° 45" West 532.95 feet to an iron pin,

thence along lands now or late of William A. Berger, North 88° 36" East 83.07 feet to an iron pin, thence along land of the Grantor herein South 1° 42" East 530.42 feet through an iron pin in a spike in the public road herein above mentioned, thence in and along the said public road, South 86° 51" West 82.61 feet to a place of beginning.

BEING KNOWN AS: 6090 Weaversville Road, (East Allen Township) Bethlehem, PA 18017.

PROPERTY ID NO.: M5-3-10.

TITLE TO SAID PREMISES IS VESTED IN Ellen R. Dickert, a widow by deed from Ellen E. Dickert, a widow, Rodney R. Dickert, Jr. and Charles T. Dickert and Barbara Ann Nagle dated 6/28/99 recorded 7/1/99 in Deed Book 1999-1 Page 098085, Instrument No.: 1999028989.

THIS PROPERTY IS BEING SOLD SUBJECT TO FIRST MORTGAGE.

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

SEIZED AND TAKEN into execution of the writ as the property of Ellen E. Dickert.

MARK J. UDREN, ESQUIRE

**No. 26**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-005957**

All that certain lot or tract of land, with the buildings erected thereon, situated on the north side of Scenic Drive in the Township of Moore, County of Northampton and Commonwealth of Pennsylvania being Lot No. 1 as shown on the Minor Subdivision Plan of the Andrew H. and Kathleen K. Rice property, said plan being recorded in the Recorder

of Deeds Office in and for the County of Northampton in Map Book Volume 87, page 270, bounded and described as follows, to wit:

Beginning at a point on the northern right-of-way line of Scenic Drive (said right-of-way line being 30.00' north of the center line of Scenic Drive) located 414.13' west of the intersection formed by the said northern right-of-way line extended of Scenic Drive with the western right-of-way line extended of Copella Road (said right-of-way line being 25.00' West of the center line of Copella Road); thence along the said northern right-of-way line of Scenic Drive the following courses and distances:

1. North 76° 21' 09" West 173.48' to a point;
2. South 13° 38' 51" West 2.00' to a point;
3. North 76° 21' 09" West 35.70' to a point;
4. South 13° 38' 51" West 11.00' to a point;
5. North 76° 21' 09" West 21.40' to a point;
6. North 13° 38' 51" East 13.00' to a point;
7. North 76° 21' 09" West 189.42' to a point on the eastern property line of land now or late of Herbert B. Merkert and Doris J. Merkert (Deed Book Volume 502, page 110); thence along the same North 2° 37' 59" West 537.40' to a point on the southern property line of land now or late of Arthur C. Eime and Laurel R. Eime (Deed Book Volume 300, page 465); thence along the same the following courses and distances:
  1. South 67° 54' 10" East 52.47' to a point;
  2. North 80° 58' 07" East 230.13' to a point on the western property line of Lot 2; thence along the same

and along the western property line of Lot 3 the following courses and distances:

1. South 27° 21' 50" East 262.02' to a point;

2. South 11° 59' 24" East 310.82' to a point;

3. South 13° 38' 51" West 118.94' to the point of beginning.

Containing 5.1848 acres.

Known as 2404 E. Scenic Drive, Bath, PA 18014.

TAX PARCEL NO: G6-14-1B.

THEREON BEING ERECTED a two story single dwelling with vinyl exterior and shingle roof, detached summer kitchen; barn.

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

JOSEPH A. GOLDBECK, JR.  
ESQUIRE

**No. 27**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-001456**

ALL THAT CERTAIN lot or piece of ground known as Lot No. 6, Woodsedge, located in the Township of Bushkill, County of Northampton and Commonwealth of Pennsylvania, being more fully bounded and described as follows, to wit:

BEGINNING at a concrete monument in the westerly edge of Maplewood Road, said monument also being a point in line of land of Thomas Marker; thence along a cul-de-sac terminating said Maplewood Road on a curve to the left having a radius of 60.00 feet, a distance of 178.19 feet to an iron pin; thence along lot 7 of the subdivision of "Woodsedge" South 36 degrees 11 minutes 35 seconds East 53.65 feet to an iron pin; thence along land of Peter T. and Mary Ann Mink South

46 degrees 00 minutes 49 seconds West 245.92 feet to a stone; thence along land of Annette Creamer North 50 degrees 13 minutes 00 seconds West 189.96 feet to an iron pin; thence along Lot 5 of the subdivision of "Woodsedge" North 43 degrees 58 minutes 00 seconds East 186.56 feet to an iron pin; thence along land of the aforementioned Thomas Marker South 50 degrees 30 minutes 00 seconds East 26.93 feet to an iron pin thence along same North 43 degrees 58 minutes 00 seconds East 90.44 feet to the place of Beginning.

CONTAINING 1.009 acres.

SUBJECT to a utility easement as shown on the Final Plan of "Woodsedge".

IT BEING THE SAME PREMISES which Victor R. Beers and Susan L. Beers, husband and wife, by Deed dated September 16, 1988, and recorded in the Office of the Recorder of Deeds in and for Northampton County, Pennsylvania, in Deed Book Volume 755, page 1038, granted and conveyed unto Jack E. Paulus and Tina M. Paulus, husband and wife. The said Jack E. Paulus and Tina M. Paulus were granted a Divorce on July 5, 1995 as evidenced by the Court of Common Pleas of Northampton County, docket #1993-C-940.

BEING KNOWN AS: 251 Maplewood Road, Wind Gap, PA 18091.  
PROPERTY ID NO.: G7-8-27T.

TITLE TO SAID PREMISES IS VESTED IN Valarie Lewis, single by deed from Jack E. Paulus and Tina M. Paulus, formerly husband and wife dated 1/16/96 recorded 1/17/96 in Deed Book 1996-1 Page 4635.

THEREON BEING ERECTED a two story single dwelling w/attached



one-car garage, T-111 board siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Valerie Lewis.

MARK J. UDREN, ESQUIRE

**No. 28  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-001965**

ALL THAT CERTAIN lot or piece of ground with frame dwelling thereon, known as No. 1074 Wilkes Barre Street, situate on the south side of Wilkes Barre Street, in the City of Easton, bounded and described as follows, to wit.

BEGINNING at a point 200 feet east of Packer Street on the said Wilkes Barre Street; thence along lot now or late of Mary Renning south 140 feet to Hoyt Alley; thence along the same east 20 feet to a point of a lot now or late of Jacob Wescoe; thence along the same north 140 feet to a point on the said Wilkes Barre Street; thence along the same west 20 feet to the place of beginning.

CONTAINING 2,800 square feet of land strict measure.

PARCEL IDENTIFICATION NUMBER: M9NE1A-1-3.

BEING KNOWN AS: 1074 West Wilkes Barre Street, Easton, PA 18042.

PROPERTY ID NO.: M9NE1A-1-3.

TITLE TO SAID PREMISES IS VESTED IN Ilka St. Rose, single by deed from Edward Norton and Annette Norton, his wife dated 10/29/02 recorded 10/29/02 in Deed Book 2002-1 Page 297684.

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

SEIZED AND TAKEN into execution of the writ as the property of Ilka St. Rose.

MARK J. UDREN, ESQUIRE

**No. 30  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-006322**

ALL THAT CERTAIN tract or parcel of land and premises, situate, lying and being in the Borough of Wilson, County of Northampton and Commonwealth of Pennsylvania, more particularly described as follows:

BEGINNING at a point on the Northerly side of Second Street (52 feet wide) at the distance of 186.10 feet Westwardly from the Westerly side of Twenty-Third Street (60) feet wide).

CONTAINING in front or breadth on the said Northerly side of Second Street 19.66 feet and extending of that width in length or depth Northwardly between parallel lines at right angles to the said Second Street, passing through the center of party walls between these premises and the premises adjoining 86.16 feet.

The improvements thereon being commonly known as 2317 Second Street.

Being the same lot or parcel of ground which by deed dated June 20, 1996 and recorded among the Land Records of Northampton County in Book 1996-1, page 63395 was granted and conveyed by AUSTIN T. RICE, JR. of the Borough of Wilson, County of Northampton and Commonwealth of Pennsylvania, by BARBARA A. LEEPER, his Attorney-in-Fact, specially constituted by Power-of-Attorney bearing date the 19th day of September, 1994 and recorded in the Office for the Re-

ording of Deeds in and for the County of Northampton in Volume 1996-1, Page 63389, unto JOHN M. KRESCH, JR.

BEING KNOWN AS: 2317 2nd Street, (Borough of Wilson) Easton, PA 18042.

PROPERTY ID NO.: M9NWIC-5-9.

TITLE TO SAID PREMISES IS VESTED IN John N. Kresch, Jr. by deed from Austin T. Rice, Jr. by Barbara A. Leeper, his Attorney-in-Fact, specially constituted by Power-of-Attorney bearing date the 19th day of September, 1994 and recorded in the Office for the Recording of Deeds in and for the County of Northampton in Volume 1996-1 Page 63389 dated 6/20/96 recorded 6/24/96 in Deed Book 1996-1 Page 669995.

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

SEIZED AND TAKEN into execution of the writ as the property of John M. Kresch, Jr.

MARK J. UDREN, ESQUIRE

**No. 31**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-004104**

ALL THAT CERTAIN tract, piece or parcel of land, together with the messuage or tenement known as No. 1130 North New Street thereon erected, situate in the 9th Ward of the City of Bethlehem, County of Northampton and State of Pennsylvania, more particularly bounded and described as follows, to wit:

BEGINNING at a point in the easterly line of North New Street a distance of 286 feet north of a stone monument at the northeast corner of North New and East Laurel

Streets, said point being the extension of a line through the middle of the party or partition wall dividing the house erected on these premises from the one adjoining it immediately on the south; thence extending northwardly along the said easterly line of North New Street twenty-six feet (26') to a point, and of that same width of twenty-six feet (26') extending eastwardly between parallel lines, the southerly line thereof passing partly through the middle of the party or partition wall a distance of one hundred and five feet (105') to the westerly line of an alley twenty feet wide.

TAX PARCEL #N6SE4D-6-12-0204.

BEING KNOWN AS: 1130 North New Street, Bethlehem, PA 18018.

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

SEIZED AND TAKEN into execution of the writ as the property of Charles A. Washington.

TERRENCE J. McCABE,  
ESQUIRE

**No. 32**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2004-008478**

ALL THAT CERTAIN messuage, tenement and tract of land with the dwelling No. 321 East Goepf Street, thereon erected situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at the Northeastern corner of intersection of Goepf Street with Pulaski Alley thence, along the Eastern street line of said Pulaski Alley, North eight degrees and ten (N 8-10 E) minutes East for a distance of one hundred five

(105.00) feet to a point on the Northern line of a former 10 foot wide utility easement; thence, along said line of said easement, South eighty-one degrees and fifty (S 81-50 E) minutes East, for a distance of forty (40.00) feet to a point; thence South eight degrees and ten (S 8-10 W) minutes West, for a distance of ten (10.00) feet to a point; thence, North eight-one degrees and fifty (N 81-50 W) minutes West, for a distance of twenty-six and forty-two hundredths (26.42) feet to a steel pin corner; thence, along the Western line of No. 323 East Goepp Street and through the party wall of a twin residence, South eight degrees and ten (S 8-10 W) minutes West, for a distance of ninety-five (95.00) feet to a mark in the concrete sidewalk; thence, along the Northern street line of Goepp Street, North eighty-one degrees and fifty (N 81-50 W) minutes West, for a distance of thirteen and fifty-eight hundredths (13.58) feet to the place of beginning.

CONTAINING exactly 1,690.10 square feet of area.

BEING THE SAME PREMISES conveyed by Allen W. Williams and Selina A. Williams, husband and wife to Rose M. Rife by Deed dated 6/14/1995, and recorded on 6/19/1995, in the Northampton County Recorder of Deeds Office at Deed Book Volume 1995-1, Page 53024.

Tax Parcel #P6NE2A 1 2B 0204.

BEING KNOWN AS 321 East Goepp Street, Bethlehem, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Rose M. Rife.

THOMAS I. PULEO, ESQUIRE

**No. 33**

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

**CV-2006-6713**

ALL that certain message, tract, piece or parcel of land situated in the Borough of Bangor, County of Northampton and State of Pennsylvania, bounded and described in accordance to a survey made of the premises by Pearson and Young, Surveyors, and recorded in the Office for the Recording of Deeds at Easton, Pennsylvania, in Map Book No. 4, page 13, as follows, to wit:

BEGINNING at a stake on the east side of Snyder Street and corner of Lot No. 249 as per map or plan aforesaid; thence along the south side of said Lot No. 249, North eighty-four and one-half degrees East one hundred thirty feet to a fifteen feet wide alley; thence along west side of said alley and in line therewith, North five and one-half degrees East thirty feet to Lot No. 251; thence along the north side of Lot No. 251, South eighty-four and one-half degrees West one hundred and thirty feet to the east side of Snyder Street; thence along said Street five and one-half degrees West thirty feet to the place of BEGINNING. CONTAINING Lot No. 250 per map or plan made by Pearson and Young for Miller and Company.

BEING the same premises which Anna A. Jones, widow, did by Deed dated July 3, 1997 and recorded in the Office for the Recorder of Deeds in and for the County of Northampton at Easton, Pennsylvania, in Record Book Volume 1997-1, page 71458, granted and conveyed unto

Brent L. Godshalk and Tricia D. Godshalk, Husband and Wife, Grantors hereof, in fee.

PARCEL IDENTIFICATION NO: E9NE3C-3-8.

Premises: 649 Snyder Street, Bangor, PA 18013, Bangor Borough, Northampton County, Pennsylvania.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Scott J. DiGrazia, by Deed from Brent L. Godshalk and Tricia D. Godshalk, husband and wife, dated 06/21/2005, recorded 06/27/2005, in Deed Book 2005-1, page 237231.

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

SEIZED AND TAKEN into execution of the writ as the property of Scott J. DiGrazia.

DANIEL G. SCHMIEG, ESQUIRE

**No. 34**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-006712**

ALL THAT CERTAIN lot or piece of ground with the improvements thereon, situate on the South side of Pine Street in the City of Easton, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows to wit:

CONTAINING in front on said Pine Street 25 feet and extending Southwardly of the same width in depth 100 feet more or less to a 10 feet wide alley.

BOUNDED on the North by said Pine Street, East by property now or late of Charles Fox, on the South by said alley and on the West by lot now or late of Catherine Pleiss.

ALSO KNOWN AS Northampton County Parcel Identifier: Map L9SW2C, Block 6, Lot 3 03 10.

IT BEING THE SAME PREMISES which Isabelle Nicotera, by her Agent, Sandra G. Eagle, by deed dated February 27, 2003 and recorded in the Northampton County Office of the Recorder of Deeds in Deed Book Volume 2003-1, Page 078387, granted and conveyed unto Steven C. Faustner and Patricia A. Faustner, husband and wife.

PROPERTY BEING: 1322 PINE STREET.

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

SEIZED AND TAKEN into execution of the writ as the property of Brad E. Schultz and Shannon M. Schultz a/k/a Shannon M. Snyder.

DANIEL G. SCHMIEG, ESQUIRE

**No. 36**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-006937**

All that certain lot or tract of ground known as Lot 2 of the Minor Subdivision for Walter W. Kroboth, located in the Township of Lehigh, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

Beginning at an iron pin (set) that is located in the southern right-of-way of Wood Drive (T-813), that is offset thirty (30) feet from centerline and being a northeastern corner of Lot 1 of the same said Minor Subdivision for Walter Kroboth, and also being the northwestern corner of Lot 2 the tract herein described; thence extending a line in and along the same said southern right-of-way of Wood Drive (T-813), being offset twenty-five (25) feet from centerline a bearing of North sixty-two (62) degrees forty-seven (47) minutes

fifty-five (55) seconds East and a distance of one hundred thirteen and fifty-five one-hundredths (113.55) feet to a concrete monument (set); thence extending a line dividing and tract of the now or late John Borbacs from Lot 2 the tract herein described, the three following courses and distances:

1. A bearing of South (2) degrees thirty-four (34) minutes sixteen (16) seconds East and a distance of one hundred fifty-one and fifty one-hundredths (151.50) feet to an iron pin (found);

2. A bearing of North eighty-six (86) degrees thirty-six (36) minutes thirty-one (31) seconds East and a distance of one hundred sixty-one and ten one-hundredths (161.10) feet to an iron pin (found);

3. A bearing of North two degrees fifty (50) minutes forty (40) seconds West and a distance of two hundred twenty-two and fifty-six one-hundredths (222.56) feet to a concrete monument (to be set);

Thence extending a line in and along the same said southern right-of-way of Wood Drive (T-813), being offset thirty (30) feet from centerline a bearing of North sixty-two (62) degrees forty-seven (47) minutes fifty-five (55)seconds East and distance of thirteen and fifty-six one-hundredths (13.56) feet to a concrete monument (to be set); thence extending a line dividing the tract of the now or late Dale H. Atherholt from Lot 2 the tract herein described, the two following courses and distances:

1. A bearing of South three (3) degrees ten (10) minutes eighteen (18) seconds East and a distance of four hundred sixty-nine and thirty-two one-hundredths (469.32) feet to an iron pin (found);

2. A bearing of North eighty-one (81) degrees forty-seven (47) minutes twenty-six (26) seconds East and a distance of two hundred twenty-one and twenty-five one-hundredths (221.25) feet to an iron pin (found);

Thence extending a line dividing the tract of the now or late John Carino from Lot 2 the tract herein described, the three following courses and distances:

1. A calculated bearing of South one (1) degree thirty-three (33) minutes thirty-two (32) seconds East and a calculated distance of three hundred fifty-eight and eleven one-hundredths (358.11) feet to a point;

2. A calculated bearing of South thirty (30) degrees twenty-four (24) minutes twenty (20) seconds West and a calculated distance of two-hundred thirty-five and seventy-five one-hundredths (235.75) feet to a point;

3. A calculated bearing of North eighty-two (82) degrees thirty-one (31) minutes twenty eight (28) seconds West and a calculated distance of five hundred forty-eight and ninety one one-hundredths (548.91) feet to a point;

Thence extending a line dividing the tract of the now or late Charles A. Ravert, Jr. from Lot 2 herein described, a bearing of North two (2) degrees forty (40) minutes thirty-two (32) seconds East and having a distance of three hundred twenty four and seventy-two one-hundredths (324.72) feet to an iron pin; thence extending a line dividing Lot 1 of the same said Minor Subdivision for Walter W. Kroboth from Lot 2 tract herein described, the three following courses and distances:

1. A bearing of South eighty seven (87) degrees nineteen (19)

minutes twenty-eight (28) seconds East and a distance of one hundred fifty-eight and no one-hundredths (158.00) feet to an iron pin.

2. A bearing of North eleven (11) degrees thirteen (13 ) minutes four (04) seconds East and a distance of one hundred eighty-eight and eighty-five one-hundredths (188.85) feet to an iron pin;

3. A bearing of North thirteen (13) degrees fifty (50) minutes twenty-three (23) seconds West and a distance of two hundred ninety-four and sixty-four one-hundredths (294.64) feet to an iron pin (set), the Place of Beginning.

Containing eight and three thousand six hundred seventy-three ten thousandths (8.3673) acres of land more or less.

Being subject to a utility easement around the perimeter of Lot 2, building restriction lines, as listed in the notes and a Covenants Agreements for primary and secondary sewage absorption areas, installation of curbing, and site development, 100 year flood boundary, wetland delineation, that is shown and indicated on same said Minor Subdivision Plan for Walter W. Kroboth.

Parcel I.D. # H3-25-4; Lehigh Township; Northampton Area School District.

BEING the same premises which Margaret M. Kroboth by Deed dated December 14, 1999 and recorded in the Office of the Recorder of Deeds of Northampton County on December 16, 1999 in Book 1999-1, page 185170, granted and conveyed unto Steven M. Kroboth.

BEING KNOWN AS 3931 Wood Drive, Walnutport, Pennsylvania.

THEREON BEING ERECTED a two story single dwelling with vinyl

siding exterior and shingle roof; detached three-car garage; barn.

SEIZED AND TAKEN into execution of the writ as the property of Steven N. Kroboth.

LAUREN TABAS, ESQUIRE

**No. 37**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-007150**

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

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

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

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

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

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

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

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

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

THEREON BEING ERECTED a two and one-half 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 Joseph Yingling a/k/a Joseph A. Yingling.

MARTHA E. VON ROSENSTIEL,  
ESQUIRE

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**No. 38**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-005936**

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

BEGINNING at a point in the southern line of Morton Street, said point being 259.75 feet east from the southeast corner of Buchanan Street and said Morton Street; thence along the southern line of said Morton Street South 84 degrees 30 minutes East 20.25 feet to a point; thence at right angles to said Morton Street South 05 degrees 30 minutes West 80 feet to a point; thence parallel to said Morton Street North 84 degrees 30 minutes West 20.25 feet to a point; thence at right angles to said Morton Street, and through the partition wall of a double house known as Nos. 726 and 728 Morton Street, North 05 degrees 30 minutes East 80 feet to the place of beginning.

NOW BEING commonly known as 728 EAST MORTON STREET, BETHLEHEM, PA 18015.

ALSO BEING KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: P6SE2A-24-7.

BEING THE SAME PREMISES which Raymond A. Matey by its Deed dated September 16th, 1996 and recorded September 24th, 1996, Deed Volume 1996-1 Page 100310, granted conveyed unto Gary S. Matey and Theresa H. Matey, Grantor(s) herein.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Robert A. Bartholomew, Jr. by deed from Gary S. Matey & Theresa H. Matey, husband and wife, dated 12/30/2005, recorded 1/11/2006, in Book 2006-1 Page 14106.

Premises being: 728 EAST MORTON STREET, BETHLEHEM, PA 18015.

Tax Parcel No. P6SE2A-24-7.

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

SEIZED AND TAKEN into execution of the writ as the property of Robert A. Bartholomew, Jr.

DANIEL G. SCHMIEG, ESQUIRE

**No. 39**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-006076**

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

BEGINNING at a corner of a lot now or formerly of Samuel Stocker and Pennsylvania Avenue; thence by Pennsylvania Avenue, North eighty-four degrees West Thirty feet to a corner; thence by Lot No. 152 South five degrees West one Hundred forty feet to a corner; thence along an alley, South eighty-four degrees East thirty feet to a corner by the aforesaid lot of Samuel Stocker, North five degrees East one hundred forty feet to the place of Beginning. Containing a town lot designated on Plan or Draft of John Lobb as No. 151.

ALSO KNOWN AS COUNTY UNIFORM PARCEL IDENTIFIER MAP: E9NE1B, Block: 12, Lot: 7.

BEING THE SAME PREMISES which Donna R. Rohrbach now known as Donna R. Vanstone and Peter M. Vanstone her husband by Deed Dated September 30, 1994 and recorded in the Office of the Recorder of Deeds of Northampton County on October 6, 1994 Deed Book Volume 1994-6 Page 82302, granted and conveyed unto Kevin S. Rake, single, in fee.

1) Vested by Warranty Deed, dated 07/29/2005, given by Camille Rake, Administratrix of the Estate of Kevin S. Rake, deceased to Jamie M. Rick, unmarried and recorded 8/11/2005 in Book 2005-1 Page 306516 Instrument # 2005041784.

BEING KNOWN AS 622 Pennsylvania Avenue, Bangor, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Jamie Marie Rick.

DANIEL G. SCHMIEG, ESQUIRE

**No. 40**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-004650**

ALL THAT CERTAIN message, tenement, and lot or parcel of ground located in Upper Nazareth Township, Northampton County, Pennsylvania, being Lot No. 129, upon a plan of lots known as East Lawn Gardens, Section B, recorded in Map Book 12, Page 31, in the Northampton County Recorder's Office, known and designated as 39 Seyfried Avenue according to present Township numbering, bounded and described as follows:

BEGINNING at a stake South eighty-eight (88) degrees seven (7) minutes West, fifty (50) feet from the center of Seyfried Circle, said center being one hundred fifteen (115') feet West the center line of Seyfried Avenue and two hundred ninety-five (295') feet South of the center line of Charles Avenue; thence by Lot No. 130 South eighty-eight (88) seven (7) minutes West, one hundred fifty and thirty-one hundredths (150.31') feet to a stake;



thence by Lots No. 119, 120 and 121, North twenty-eight (28) degrees, four (4) minutes East, one hundred twenty-eight (128) feet to a stake, thence by lot No. 128 South fifty-two (52) degrees forty-six (46) minutes East, one hundred twenty-five and seventy-nine one-hundredths (125.79) feet to a stake on Seyfried Circle; thence along an arc of fifty (50) feet radius, the chord of said arc having a bearing of South seventeen (17) degrees forty and one-half (40 1/2) minutes West and a length of thirty-three and forty-six one-hundredths (33.46) feet, to the point of beginning.

IT BEING THE SAME PREMISES which Charles A. Bersch and Sandra Frantz, also known as Sandra Bersch, his wife, by their Deed dated January 11, 1990, and recorded on April 11, 1996, in the Recorder of Deeds Office in and for Northampton County in Deed Book Vol. 1991-1, Page 32687, granted and conveyed unto Charles A. Bersch.

Tax Parcel ID#J8SW1-11-7D.

THEREON BEING ERECTED a ranch style dwelling with shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Charles A. Bersch.

RLCHARD BRENT SOMACH,  
ESQUIRE

**No. 41**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-006238**

ALL THAT CERTAIN message, tract, piece or parcel of land, Hereditaments and Appurtenances, SITUATE in the Third Ward of the Borough of Bangor, County of Northampton and State of Pennsylvania, bounded and described in

accordance with a survey made of the premises by the late J. H. Silfies, Surveyor, to wit:

BEGINNING at a corner of Lot No. 119 on the North side of Broadway being the Southeastern corner hereof; thence along the Western division line of said Lot No. 119 north 11-1/2 degrees East, 212 feet to an 18 feet wide alley; thence along the South side of said alley and in line therewith, North 78-1/2 degrees West, 80 feet to a corner of Lot No. 116; thence along the Eastern division line of said Lot No. 116 South 11-1/2 degrees West, 212 feet to said Broadway; thence along the North side of Broadway and in line therewith South 78-1/2 degrees East 80 feet to the corner of said Lot No. 119, the place of beginning.

CONTAINING two lots designated as Lot Nos. 117 and 118 upon the map or plan aforesaid.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NO.: MAP: E9NE1D, BLOCK: 2, LOT: 9.

This is a conveyance from Wife to husband, and therefore, is not subject to Pennsylvania Realty Transfer Tax.

TITLE TO SAID PREMISES IS VESTED IN John Kynor, by Deed from Ramona Kynor, dated 06/19/2004, recorded 10/18/2004, in Deed Book 2004-1, page 402480.

Premises being: 829 BROADWAY, BANGOR, PA 18013.

Tax Parcel No. E9NEID-2-9.

THEREON BEING ERECTED a cape style brick dwelling w/attached one-car garage and slate roof; in-ground pool.

SEIZED AND TAKEN into execution of the writ as the property of John R. Kynor.

DANIEL G. SCHMIEG, ESQUIRE

**No. 42**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-005309**

ALL THAT CERTAIN lot or piece of ground Situate in the Township of Washington, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the Westerly right-of-way line of Township Road Number 690, known as True Blue Road, said point being North 40 degrees 13 minutes 12 seconds West 40.00 feet from the Southeast corner of land belonging to Roy Hendricks and Kathy Hendricks; thence along the Westerly right-of-way line of said True Blue Road, North 40 degrees 13 minutes 12 seconds West 189.06 feet to a point of curve; thence along same on a curve to the right having a radius of 486.99 feet, a distance of 172.53 feet to a point; thence North 41 degrees 00 minutes 00 seconds West 16.29 feet to a point; thence along land of Gilbert Pysher South 56 degrees 00 minutes 00 seconds West 151.57 feet to an iron pin; thence along land of Roy Hendricks and Kathy Hendricks, grantors hereof, South 34 degrees 00 minutes 00 seconds East 176.56 feet to an iron pin; thence along same South 03 degrees 32 minutes 31 seconds East 245.96 feet to an iron pin; thence along same North 60 degrees 57 minutes 52 seconds East 92.39 feet to an iron pin; thence along same North 49 degrees 46 minutes 48 seconds East 198.08 feet to the place of beginning.

BEING COUNTY PARCEL NUMBER: F10 7-3D-1.

TITLE TO SAID PREMISES IS VESTED IN John W. Towner &

Bonnie L. Towner, h/w BY DEED FROM Edna D. Finkbeiner Date: 11-25-97 Recorded: 12-2-97 Book: 1997-1 Page: 1341280.

Premises being: 421 TRUE BLUE ROAD, BANGOR, PA 18013.

Tax Parcel No. F10-7-3D-1-0134.

THEREON BEING ERECTED a one story concrete block dwelling with shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of John W. Towner and Bonnie L. Towner.

DANIEL G. SCHMIEG, ESQUIRE

**No. 43**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2004-001566**

PARCEL NO. 1

ALL THAT CERTAIN messuage, tenement and lot or piece of ground, hereditaments and appurtenances, situate in the Borough of West Easton, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a distance of 18 feet West of the Western line of two houses erected by Jacob B Odenwelder; thence along the Southern side of a 40 feet wide street now known as Spring Street Westwardly 42 feet to lands now or late of F. W. Coolbaugh; thence extending Southwardly between parallel lines and preserving the same width, 84 feet to stakes in each corner in line of land now or late of F. W. Coolbaugh.

PARCEL NO. 2

ALL THAT CERTAIN piece, parcel or tract of land, hereditaments and appurtenances, situate on the Southerly side of Spring Street, in the Borough of West Easton, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the Southerly side of Spring Street in line with land of Joseph F. Kiss; thence Southwardly 41 degrees, 15 minutes East 64 feet, more or less, to a point; thence North 48 degrees, 45 minutes East 42 feet, more or less, to a point, land now or late of Myron Zahoroiko; thence South 41 degrees, 15 minutes East 80 feet, more or less, to land of the Lehigh Coal and Navigation Company; thence South 16 degrees, 0 minutes West 85.98 feet, more or less to a point; thence South 70 degrees, 6 minutes West, 4.83 feet, more or less, to land now or late of Charles H. Hahn; thence North 41 degrees, 15 minutes West 177.93 feet to Spring Street; thence North 48 degrees, 45 minutes East 18 feet to a point, the place of beginning.

BOUNDED on the North by Spring Street and land of Joseph F. Kiss; on the East by other land of Joseph F. Kiss and land now or late of Myron Zahoroiko; on the South by a vacated road and the Lehigh Coal and Navigation Company; and on the West by land now or late of Charles H. Hahn.

PARCEL NO. 3

ALL THAT CERTAIN lot or piece of ground, hereditaments and appurtenances, situate in the Borough of West Easton, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin in the Southeasterly property line of Spring Street in line of other lot of Joseph Kiss; thence along other lot of Joseph Kiss, South 41 degrees, 15 minutes East 177.93 feet to an iron pin in the Northerly property line of a private alley; thence along the Northerly property line of a private alley, South 70 degrees, 6 min-

utes West 107.37 feet to a stake in line of land now or late of Theodore Fotty, et ux.; thence along other lot now or late of Theodore Fotty, et ux, North 41 degrees, 15 minutes West 138.84 feet to a stake in the Southeasterly property line of Spring Street; thence along the Southeasterly property line of Spring Street, North 48 degrees, 45 minutes East 100 feet to the point and place of beginning.

THE above described premises being known as 118 Spring Street, Easton, Pennsylvania.

Tax Parcel #L9SW3C-2-1.

TITLE TO SAID PREMISES IS VESTED IN Thomas J. Raub and Monica J. Raub, his wife by Deed from Todd A. Lunden and Michele L. Lunden, his wife dated 8/20/1999 and recorded 8/24/1999 in Record Book Volume 1999-1, Page 129242.

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

SEIZED AND TAKEN into execution of the writ as the property of Thomas J. Raub and Monica J. Raub.

MARTHA E. VON ROSENSTIEL,  
ESQUIRE

**No. 44**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-005850**

ALL THAT CERTAIN lot of ground with the improvements thereon erected, situated on the south side of Ferry Street, in the City of Easton, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the south of Ferry Street, twenty (20)

feet east of Raspberry Street; THENCE extending eastwardly along the said south side of Ferry Street, twenty (20) feet to a point; said point being in middle partition wall of the double frame dwelling known as Nos. 1422-1424 Ferry Street. THENCE extending southwardly at right angles to ten (10) foot wide alley—THENCE westwardly along said alley twenty (20) feet to a point, THENCE northwardly one hundred sixteen (116) feet to a point, the place of beginning, and now being known as No. 1424 Ferry St., Easton, PA.

TAX PARCEL #: L9SW2C-11-2.

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 Kevin D. Kelhart and Courtney L. Kelhart.

JOSEPH A. GOLDBECK, JR.  
ESQUIRE

**No. 45**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-005619**

ALL that certain message, tenement and lot or piece of ground situated in the Borough of Glendon, County of Northampton and Commonwealth of Pennsylvania, on the main road leading from the City of Easton, formerly South Easton, through the Borough of Glendon aforesaid, with the Eastern one-half of the double dwelling erected thereon known as No. 102 Main Street, bounded and described as follows, to wit:

BEGINNING at a point in the line which passes through the center of the partition wall between the dwelling hereby conveyed and the dwell-

ing erected on the West, thence eastwardly along the south side of the said road forty-five (45) feet to the land heretofore conveyed to Arnold E. Haskins (by deed measurement fifty (50) feet); thence southwardly along said Haskins' land one hundred (100) feet to other land of former grantors; thence westwardly along other land of former grantors forty-five (45) feet to a point in the line passing through the middle of the partition wall between the dwelling hereby conveyed and the dwelling erected on the West; thence along the last mentioned line northwardly one hundred (100) feet to the point the place of beginning.

BEING known as 102 MAIN STREET, EASTON, PA 18042.

BEING THE SAME PREMISES which Dolores Benedix, a single woman and Jim Weaver, a single man, as tenants in common, by Indenture dated October 27, 2005 and recorded November 15, 2005 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 2005-1, Page 454897, granted and conveyed unto JIM WEAVER.

PARCEL #M9NW2C-10-9.

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

SEIZED AND TAKEN into execution of the writ as the property of Jim Weaver a/k/a James R. Weaver.

GREGORY JAVARDIAN,  
ESQUIRE

**No. 48**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-004477**

ALL THAT CERTAIN message or tenement and half of a double

brick house with the lot thereto appurtenant, situate on the West side of Main Street, between Seventeenth and Eighteenth Street, in the Second Ward, situate in the Borough of Northampton, Northampton County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the West side of Main Street in line of lot conveyed to Anna A. Lilly, thence extending along said lot Westward, through the middle of a party wall, 148 feet to the East side of an alley; thence extending along said alley Northward 20 feet to a point in line of Lot of Amanda J. Thorn; thence along said last mentioned lot Eastwardly 148 feet to a point on the Western side of Main Street; thence extending along Main Street, South 20 feet to the place of BEGINNING.

HAVING THEREON ERECTED A DWELLING KNOWN AS 1788 Main Street, Northampton, Pennsylvania 18067.

PARCEL: L4SW4C-6-6.

It is hereby understood between parties hereto that the Southern line of the above premises shall pass through the center of a garage in the rear of the premises.

BEING THE SAME PREMISES WHICH Joseph Maslany and Jeanette Maslany a/k/a Jeannette Maslany by deed dated 5/20/92 and recorded 5/27/92 in Northampton County Deed Book 863 Page 520, granted and conveyed unto Jeffrey Herman and Denise Herman.

SEIZED AND TAKEN into execution of the writ as the property of Jeffrey Herman and Denise F. Herman a/k/a Denise Herman.

LEON P. HALLER, ESQUIRE

**No. 49**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-004696**

ALL THAT CERTAIN lot, parcel or piece of land Lot No. 2, situate in the Township of Hanover, County of Northampton, and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron stake at the western edge of the concrete highway leading from Allentown to Bath, PA; thence along the same North twenty-four and one-half degrees (24-1/2) East one hundred fifty (150) feet to an iron stake; thence by Lot 3 deeded to Joseph Ritz and wife and other land, North eighty-seven (87) degrees West five hundred fifty-six (556) feet to a stake; thence by land of Jacob Buss, now Tindula South one and one-half (1-1/2) degrees West one hundred fifty (150) feet to an iron stake; thence by Lot No. 1 deeded to Albert R. Parks South eighty-eight and one-half (88-1/2) degrees East five hundred (500) feet passing an iron stake 10 feet to the place of BEGINNING. CONTAINING one acre and eighty-one one-hundredths (1 81/100) of an acre more or less.

LESS AND EXCEPTING, however, ALL THAT CERTAIN lot, parcel or piece of land, situate in the Township of Hanover, County of Northampton, and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron stake at the western edge of the concrete highway leading from Allentown to Bath; thence along land of the said Walter W. Miltenberger and wife, designated as Lot No. 3 North eighty-seven (87) degrees West one hundred thirty-nine and nine-tenths

(139.9) feet to an iron pin; thence along other lands of Richard P. Mason and wife, of which this was a part, South sixty-six (66) degrees and fifty (50) minutes East one hundred forty-one and nine-tenths (141.9) feet to an iron pin at the western edge of said highway; thence along the same North twenty-four and one-half (24-1/2) degrees East forty-two and ninety-eight hundredths (42.98) feet to the place of BEGINNING. CONTAINING ten and sixty-four hundredths (10.64) perches, more or less.

BEING KNOWN AS: 4035 Airport Road, Allentown, PA 18109.

PROPERTY ID NO.: M5-4-17.

TITLE TO SAID PREMISES IS VESTED IN Richard P. Mason, III and Christine M. Mason, husband and wife by deed from Darlene D. Mason dated 8/11/99 recorded 8/23/99 Book 1999-1 Page 128446.

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

SEIZED AND TAKEN into execution of the writ as the property of Richard P. Mason, III and Christine M. Mason.

MARK J. UDREN, ESQUIRE

**No. 50**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-006758**

ALL THAT CERTAIN tract of land situated in the Township of Plainfield, County of Northampton and Commonwealth of Pennsylvania, recorded in Plan Book 2004-5 and Pages 393-396, bounded and described as follows, to wit:

BEGINNING at an iron pin located along the required roadway right-of-way of Jane Lane, 30.00 feet from centerline, said pin also located along Lot 15 in Phase 2 of

the Crest View Farms subdivision and the lands herein described; thence,

1) S. 08° 36' 25" E., 33.35' along the required right-of-way of Jane Lane to a concrete monument; thence,

2) Along an arc curving to the right, having a radius of 20.00' and a length of 16.33' (long chord S. 14° 46' 40" W., 15.88') along the same to a concrete monument; thence,

3) Along an arc curving to the left, having a radius of 53.00' and a length of 86.05' (long chord S. 08° 21' 04" E., 76.91') along the same to an iron pin; thence,

4) S. 35° 08' 07" W., 239.73' along Lot 17 of the Crest View Farms subdivision to an iron pin; thence,

5) N. 33° 45' 20" W., 524.96' along Lots 3 & 2 of the Crest View Farms subdivision to an iron pin; thence,

6) N. 56° 29' 00" E., 93.83' along the required right-of-way line of David Drive to an iron pin; thence,

7) Along an arc curving to the right, having a radius 470.00' and a length of 71.24' (long chord N. 60° 49' 32" E., 71.17') along the same to an iron pin; thence,

8) S. 24° 49' 56" E., 76.16 along Lot 15 of the Crest View Farms subdivision to an iron pin; thence,

9) S. 30° 46' 04" W., 114.05' along the same to an iron pin; thence,

10) S. 33° 45' 20" E., 88.82' along the same to an iron pin; thence,

11) N. 81° 23' 35" E., 257.08' along the same to the aforementioned pin and place of Beginning.

CONTAINING: 1.7659 acres (76,922.74 sq. ft.).

SAID PROPERTY subject to easements, restrictions and covenants

of record as contained within the chain of title of said Deed of record.

THIS DESCRIPTION prepared by Lehigh Engineering Associates, Inc., on May 5, 2004.

Tax Parcel No.: F8-24-5A-16.

BEING KNOWN AS 1211 Jane Lane, Pen Argyl, Pennsylvania.

THEREON BEING undeveloped land.

ALL THAT CERTAIN tract of land situated in the Township of Plainfield, County of Northampton and Commonwealth of Pennsylvania, recorded in Plan Book 2004-5 and Pages 393-396, bounded and described as follows, to wit:

BEGINNING at an iron pin located along the required roadway right-of-way of Jane Lane, 30.00 feet from centerline, said pin also located along Lot 21 in Phase 2 of the Crest View Farms subdivision and the lands herein described; thence,

1) Along an arc curving to the left, having a radius of 780.00' and a length of 125.77' (long chord N. 16° 55' 54" W., 125.63') along the required right-of-way line of Jane Lane to an iron pin; thence,

2) N. 21° 33' 03" W., 41.17' along the same to an iron pin; thence,

3) N. 68° 26' 57" E., 460.62' along Lots 23-25 of the Crest View Farms subdivision to an iron pin; thence,

4) S. 08° 11' 11" E., 292.65' along lands now or former of Willard & Laureen Knitter to a concrete monument; thence,

5) S. 68° 13' 25" W., 88.12' along lands now or former of Gary & Doris Smith to a concrete monument; thence,

6) N. 61° 27' 51" W., 101.78' along Lot 21 of the Crest View Farms subdivision to an iron pin; thence,

7) S. 77° 41' 16" W., 252.95' along the same to the aforementioned pin and place of Beginning.

CONTAINING 2.2074 acres (96,154.45 sq. ft.).

SAID PROPERTY subject to easements, restrictions and covenants of record as contained within the chain of title of said Deed of record.

THIS DESCRIPTION prepared by Lehigh Engineering Associates, Inc., on May 5, 2004.

Tax Parcel No.: F8-24-5A-22.

BEING KNOWN AS 1250 Jane Lane, Pen Argyl, Pennsylvania.

THEREON BEING undeveloped land.

SEIZED AND TAKEN into execution of the writ as the property of Bob Seagreaves, Christel A. Gift-Seagreaves and Reno Land Development, Inc.

CHARLES LAPUTKA, 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

Dec. 14, 21, 28

**LAW CLERK—LEHIGH COUNTY**

Position: Law Clerk, available January 2, 2007

Salary: \$49,962 annually with full benefits

Location: Lehigh County Courthouse, 455 W. Hamilton  
St., Allentown, Pa. 18101

Position Description: The Law Clerk assists the Judge in drafting opinions, court observation, checking citations. Additionally, the Law Clerk conducts research to prepare the Judge for hearings and trials and provides general support during trial weeks. Candidate should be well organized, detail oriented, and capable of independent work. Writing and citation experience valued. Please send resumes to the Honorable William H. Platt at the above address.

Dec. 21, 28

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**ASSOCIATE LAWYER POSITION  
FAMILY LAW**

Full-service Lehigh Valley firm has an immediate opportunity for an associate in family law. Candidate should possess 1-3 years relevant experience and exceptional credentials. Competitive compensation and benefits, including health insurance and 401 (k), and the opportunity for growth and advancement are there for the right candidate in a collegial work environment.

Send letter of interest with resume and references to Firm Manager at Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034 or email to flb@flblaw.com. All correspondence will be held in the utmost confidence.

Dec. 28



**IN THE COURT OF COMMON PLEAS OF  
 NORTHAMPTON COUNTY, PENNSYLVANIA  
 CRIMINAL DIVISION  
 IN RE: CENTRAL BOOKING)     AD-377-2006  
                                   )  
                                   )**

**AMENDED ADMINISTRATIVE ORDER 2006-13**

**AND NOW**, this 20th day of December, 2006, on application of Jeffrey Hawbecker, Sheriff of Northampton County, the effective date of Administrative Order #2006-13, Central Booking Procedure, is changed from January 1, 2007, to April 1, 2007.

**BY THE COURT:**

/s/Robert A. Freedberg

**ROBERT A. FREEDBERG, P.J.**

Dec. 28

## LEGAL OFFICES AVAILABLE

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

**IN RE:** ) **C-48-CV-2006-10178**  
 )  
**ADMINISTRATIVE** )  
**ORDER 2006-15—** )  
**FEE SCHEDULE,** )  
**CIVIL/** )  
**PROTHONOTARY** )

**ORDER OF COURT**

**AND NOW**, this 13th day of December, 2006, IT IS HEREBY ORDERED that the current schedule of fees charged by the Clerk of Courts—Civil Division/Prothonotary shall continue until December 31, 2006. The attached schedule of fees for the Clerk of Courts—Civil Division/Prothonotary shall take effect January 1, 2007.

A copy of this administrative order and the schedule of fees shall be published in the *Northampton County Reporter*.

**BY THE COURT:**  
/s/Robert A. Freedberg  
**ROBERT A. FREEDBERG, P.J.**

**NORTHAMPTON COUNTY  
CIVIL/PROTHONOTARY  
FEE SCHEDULE AS OF JANUARY 1, 2007**

	<b>FEEES</b>
<b>ACKNOWLEDGMENT OF DEEDS</b>	\$9.25
<b>AFFIDAVITS—RETAKE PRIOR NAME</b>	\$9.25
<b>APPEALS:</b>	
APPEAL—BOARD OF VIEW	\$15.25
APPEAL—HIGHER COURT	\$57.25
(Plus \$60.00 *(includes JCP Fee) payable to the higher court)	
APPEAL—DISTRICT JUSTICE	\$121.75
APPEAL—LICENSE SUSPENSION	\$127.50
<b>ARBITRATION PRAECIPE</b>	\$28.75
Appeal from Arbitration—Arbitrators compensation upon appeal \$375.00 plus any additional compensation that may have been authorized, but total not exceed 50% of the amount of covers. THIS SHALL NOT BE TAXABLE AS COSTS. No appeal fee, bond or accrued costs required.	
<b>ASSIGNMENTS</b>	\$9.25
<b>BUILDING AGREEMENTS</b>	\$19.00
(Waiver of Liens, Stipulation, etc.)	
<b>CERTIFICATIONS:</b>	
Certifying copy of any paper	\$5.75
Additional pages, each	\$1.25
Certification of Notary or District Justice	\$3.50
Exemplification of records including judgments	\$19.00
Certification of Satisfaction/Discontinuance	\$5.75
<b>COMMENCEMENT OF ACTIONS:</b>	
Commencement of actions at Law or Equity	\$122.00
Custody or Visitation	\$128.50
Divorce—No additional counts	\$132.00
Plus below extra counts in complaint:	
Alimony	\$38.75
Alimony pendente lite, counsel fees and costs	\$38.75

Domestic Relations APL	\$30.75
Custody	\$45.25
Support	\$38.75
Equitable Distribution	\$38.75
Other, each	\$38.75
District Justice Appeals	\$121.75
Protection from Abuse (plus \$25.00 Pa State Police Surcharge and additional Sheriff Service Fees)	\$132.00
Open or Strike Judgment	\$95.00
Proceedings on any lien other than revival	\$95.00
<b>COURT MINUTES:</b>	
Letters Rogatory (Additional \$3.50 per subpoena)	\$38.75
Award of Ownership	\$122.00
Declaration of Taking	\$122.00
Eminent Domain Proceedings	\$122.00
Petition for Appointment of Board of View—per property	\$122.00
Appeal from Board of View	\$21.25
Petition for Name Change	\$83.25
Appointment of Special Policeman	\$34.75
Financial Statements	\$15.25
Power of Attorney	\$25.00
<b>DIVORCE DEPOSITS:</b>	
Regular Deposit	\$250.00
Special Deposit	\$750.00
Praecipe to Transmit Record (Plus Additional fees for Docket Entries, Certification of Docket Entries and A Divorce Decree)	\$25.00
Divorce Decree	\$9.25
Foreign Divorce	\$25.00
<b>DOCKET ENTRIES</b>	\$0.30
(Requesting by mail—initial page \$1.00 plus \$0.30 per additional page)	

**EXECUTIONS & ATTACHMENTS**

Writ of Execution	\$28.75
Writ of Execution with attachment (Plus add \$60.00 for each garnishee)	\$29.25
Political Subdivision	\$12.00
Political Subdivision with attachment (Plus add \$60.00 for each garnishee)	\$12.50

**JUDGMENTS**

All judgments of decrees which are final	\$17.25
Bail Bonds	\$33.25
Complaint and Confession	\$43.25
Confessions (notes, bonds, etc.)	\$38.25
District Justice Transcripts	\$33.00
Domestic Relations (Arrearages)	\$33.25
Default, Non Pros, Verdict Award, etc.	\$17.25
Court Order, Agreement, Stipulation, etc.	\$17.25
Transferred judgments (from other counties)	\$33.25
Political Subdivision (New Filing)	\$24.50
Political Subdivision (other)	\$12.00
Release of Judgment	\$9.25
Subordinations, withdrawals, postponements	\$9.25
Revival (amicable)	\$17.25
Writ of Revival (adverse)	\$28.75
Political Subdivision	\$12.00

**LIENS**

Municipal	\$24.50
Mechanics Lien—without complaint (Complaint filed at later date)	\$33.25 \$95.00
Mechanics Lien—with complaint	\$128.25
Political Subdivision	\$24.50
Federal and Commonwealth of PA	\$18.00
Suggestions of Non-Payment	\$12.00
IRS refilings	\$12.00
Housing Rehab Assistance Lien	\$24.50
District Justice Transcript— Political Subdivision	\$24.50

**NOTARY SIGNATURE REGISTRATION****PHOTOCOPIES** \$3.50

If made by prothonotary's office—each page \$1.25

If made by person on public copies—each page \$0.25

**REVIVALS**

Amicable \$17.25

Adverse (Writ of Revival) \$28.75

**REISSUANCE OF WRIT AND REINSTATEMENT****OF COMPLAINT** \$6.00**SATISFACTIONS**

Entering satisfactions, releases, postponements,  
 assignments, subordinations, of all encumbrances or  
 liens by Power of Attorney of otherwise: or settlements,  
 discontinuances, ending or termination of any civil  
 action at law or equity \$9.25

Certificate of Satisfaction \$5.75

**SUBPOENAS**

Attend and Testify \$3.50

Produce Documents or things for Discovery \$3.50

**TRANSFERS**

To transfer case to another county \$19.00

To transfer judgment to another county \$19.00

**FEEES FOR SERVICES NOT HEREIN SPECIFICALLY PROVIDED OR INCLUDED IN ANY OTHER SERVICE SHALL BE THE SAME AS FOR SIMILAR SERVICES.**

**PAYMENTS MUST BE MADE IN CASH, BUSINESS CHECKS, MONEY ORDERS, TRAVELER'S CHECKS OR CERTIFIED CHECKS MADE PAYABLE TO PROTHONOTARY OF NORTHAMPTON COUNTY OR NORTHAMPTON COUNTY CLERK OF COURT—CIVIL. A FEE OF \$30.00 WILL BE CHARGED FOR ALL RETURNED CHECKS.**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT  
OF PENNSYLVANIA**

**IN RE: Interim Amendments to  
Rules 5001-1(b) and 9076-1 of the  
Local Rules of Bankruptcy Procedure**

**NOTICE**

Pursuant to 28 U.S.C. §§2071(e) and 2077 and Federal Rule of Civil Procedure 83, directing the court to promulgate Local Civil Rules consistent with the Federal Rules of Civil Procedure and applicable statutes, and in accordance with Rule 9029(a) of the Rules of Bankruptcy Procedure, the judges of the United States Bankruptcy Court for the Eastern District of Pennsylvania unanimously resolved that the following proposed amendments to the Local Rules of Bankruptcy Procedure be submitted to the District Court for approval and adoption:

- amending Local Bankruptcy Rule 5001-1(b) to assign cases filed in Lancaster County to the Bankruptcy Court in Philadelphia;
- amending Local Bankruptcy Rule 9076-1 to allow the court on its own motion or on the request of any party to direct video conferencing, in addition to telephone conferencing, without need for a court appearance; and,

The judges of the District Court, on November 20, 2006, approved the interim amendments to Local Bankruptcy Rule 5001-1(b) and Local Bankruptcy Rule 9076-1. Having determined there is an immediate need for the interim amendments, they shall be effective immediately. At the conclusion of a six-month period, the Court will evaluate these interim amendments to take into account their efficacy as well as the experience of the bench and bar. Thereafter, the Court will send out any proposed rules for notice and publication. 28 U.S.C. §2071(e).

Those wishing to obtain copies of the interim amendments to the above-referenced rules may submit their



request in writing to Michael E. Kunz, Clerk of Court, United States Courthouse, 601 Market Street, Room 2609, Philadelphia, PA 19106. Copies of these interim amendments may also be obtained at the District Court's website, [www.paed.uscourts.gov](http://www.paed.uscourts.gov) or by obtaining them in person at the District Court Clerk's Office at the above address.

A copy of the Order of the District Court is printed below this Notice.

HARVEY BARTLE III  
Chief Judge

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT  
OF PENNSYLVANIA**

**IN RE: Amendments to Rule 5001-1(b) of the  
Local Rules of Bankruptcy Procedure,  
Court Administration, Division of Court;  
Rule 9076-1 of the Local Rules of Bankruptcy  
Procedure, Telephone Conferences**

**ORDER**

**AND NOW**, this 13th day of December, 2006, it appearing that this Court is vested with authority, pursuant to 28 U.S.C. §§2071(e) and 2077 and Federal Rule of Civil Procedure 83, to promulgate Local Civil Rules consistent with the Federal Rules of Civil Procedure and applicable statutes, and in accordance with Federal Rule of Civil Procedure 83 and Rule 9029(a) of the Rules of Bankruptcy Procedure,

**AND**, it appearing that there is an immediate need for the interim amendments,

**AND**, it appearing that an interim amendment to Local Bankruptcy Rule 5001-1(b) to assign cases filed in Lancaster County to the Bankruptcy Court in Philadelphia, and an interim amendment to Local Bankruptcy Rule 9076-1 to allow the court on its own motion or on the request of any party to direct video conferencing in addition to telephone conferencing without need for a court appearance, were approved by the Bankruptcy Court as follows:

***AMENDED RULE 5001-1(b)  
OF THE LOCAL RULES OF  
BANKRUPTCY PROCEDURE***

Court Administration

....

(b) *Division of Court*. Where it appears from the petition that the debtor's domicile, residence, principal place of business or principal assets were located for the 180 days immediately preceding the

commencement of the case (or for a longer portion of such ~~180-day~~ 180 day period than they were located elsewhere) in ~~Philadelphia County~~; Bucks County, Chester County, Delaware County, Lancaster County, ~~or~~ Montgomery County, or Philadelphia County, the case shall be assigned to the Philadelphia Division. All other cases shall be assigned to a judge of the Reading Division.

**AMENDED RULE 9076-1  
OF THE LOCAL RULES OF  
BANKRUPTCY PROCEDURE**

**Telephone and Video Conferences and Hearings**

(a) *Availability.* The court, on its own motion or on the request of a party, may direct that a conference on any matter or the argument of hearing on any motion, application, or objection be by telephone or video conference without court appearance. A verbatim record of a telephone conference shall be made if directed by the court.

(b) *Scheduling* ~~A party shall consult with the courtroom deputy for the judge to whom the case is assigned to request the scheduling of a telephone conference and Procedures.~~

(1) Contact With the Courtroom Deputy. A party requesting a telephone or video conference or hearing shall first seek the agreement of opposing counsel and then contact the courtroom deputy for the judge to whom the case is assigned to request court permission. The requesting party shall discuss with the courtroom deputy the existence of any other procedural or technical requirements for the proceedings. Technical arrangements to use the court's video conference system shall, when practicable, be made five (5) days in advance of the sched-

uled proceeding date in consultation with the judge's courtroom deputy.

(2) Telephone Conference or Hearing. The party requesting a telephone conference or hearing shall initiate the call unless otherwise directed by the court. If multiple parties will be participating, the requesting party shall arrange to join the other parties on the line. The person participating in the proceeding by telephone must be available by the telephone before the time set and must take any steps necessary to keep the telephone lines open so that the call can be timely placed.

(3) Record. A verbatim record of a telephone or video hearing shall be made in all cases. A verbatim record of a telephone or video conference shall be made if directed by the court.

**AND**, it appearing that the judges of the District Court, on November 20, 2006, approved the above proposed interim amendments to Local Bankruptcy Rule 5001-1(b) and Local Bankruptcy Rule 9076-1,

**AND**, it further appearing that at the conclusion of a six-month period, the Court will evaluate these interim amendments to take into account their efficacy and the experience of the bench and bar and thereafter will send out any proposed rules for notice and publication, it is hereby

**ORDERED** that the interim amendments to Local Bankruptcy Rule 5001-1(b) and Local Bankruptcy Rule 9076-1 are approved and adopted effective immediately. It is further

**ORDERED** that the Clerk of Court transmit copies of Local Bankruptcy Rule 5001-1(b) and Local Bankruptcy Rule 9076-1, as amended and set forth below, to the Di-

rector of the Administrative Office of the United States Courts and the Judicial Council of the Third Circuit Court of Appeals and make said Rules available to the bar and public.

FOR THE COURT:  
/s/Harvey Bartle, III  
HARVEY BARTLE, III,  
Chief Judge

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT  
OF PENNSYLVANIA**

**NOTICE**

**IN RE: Amendments to Rule 1007(b)(1)(E),  
1007(b)(3) and (c) of the Interim Local  
Rules of Bankruptcy Procedure**

Pursuant to 28 U.S.C. §§2071(e) and 2077 and Federal Rule of Civil Procedure 83, directing the court to promulgate Local Civil Rules consistent with the Federal Rules of Civil Procedure and applicable statutes, and in accordance with Rule 9029(a) of the Rules of Bankruptcy Procedure, the judges of the United States Bankruptcy Court for the Eastern District of Pennsylvania unanimously resolved that Rule 1007(b)(1)(E), of the Interim Local Rules of Bankruptcy Procedure be amended to provide for the filing of payment advices, and further resolved that Rule 1007(b)(3) and (c) of the Interim Local Rules of Bankruptcy Procedure be amended to require debtors to receive credit counseling before filing for bankruptcy, and further resolved that these proposed amendments be submitted to the District Court for approval and adoption.

The Court finds there is an immediate need for the amendments and therefore they are effective immediately. 28 U.S.C. §2071(e). After the enactment of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, Pub. L. No. 109-8, 119 Stat. 23 (2005) ("BAPCPA"), the Advisory Committee on Bankruptcy Rules and the Committee on Rules of Practice and Procedure of the Judicial Conference proposed interim rules implementing BAPCPA and suggested that local courts in each district adopt the proposed interim rules as local rules of the court pending approval of national rules under the Rules Enabling Act. The District Court adopted the interim rules as local rules by standing order dated October 31, 2005. These proposed amendments constitute changes to

those previously adopted interim rules. Once the national rules are approved, the interim rules will become unnecessary.

Those wishing to obtain copies of the amendments to the above-referenced interim rules may do so by submitting their request in writing to Michael E. Kunz, Clerk of Court, United States Courthouse, 601 Market Street, Room 2609, Philadelphia, PA 19106. Copies of these rules may also be obtained at the District Court's website, [www.paed.uscourts.gov](http://www.paed.uscourts.gov) or by obtaining them in person at the District Court Clerk's Office at the above address.

A copy of the Order of the District Court is printed below this Notice.

**HARVEY BARTLE III**  
Chief Judge

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT  
OF PENNSYLVANIA**

**IN RE: Amendments to Rules 1007(b)(1)(E) and  
1007(b)(3) and (c) of the Interim Local Rules of  
Bankruptcy Procedure**

**ORDER**

**AND NOW**, this 13th day of December, 2006, it appearing that this Court is vested with authority, pursuant to 28 U.S.C. §§2071(e) and 2077 and Federal Rule of Civil Procedure 83, to promulgate Local Civil Rules consistent with the Federal Rules of Civil Procedure and applicable statutes, and in accordance with Federal Rule of Civil Procedure 83 and Rule 9029(a) of the Rules of Bankruptcy Procedure;

**AND**, it appearing that the judges of the court, on November 20, 2006, approved the interim amendments to Rule 1007(b)(1)(E) of the Interim Local Rules of Bankruptcy Procedure to provide for the filing of payment advices, and also approved amendments to Rule 1007(b)(3) and (c) of the Interim Local Rules of Bankruptcy Procedure to require debtors to receive credit counseling before filing for bankruptcy, as set forth below;

**AND**, it appearing that there is an immediate need for the amendments to the Local Rules:

***PROPOSED AMENDMENT TO RULE 1007 OF THE  
INTERIM RULES OF BANKRUPTCY PROCEDURE***

**Interim Rule 1007. Lists, Schedules, and State-  
ments, and Other Documents; Time Limits<sup>1</sup>**

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<sup>1</sup> The amendments are proposed to Interim Rule 1007. Therefore, the underlined additions and the strikeout deletions are to the Interim Rule adopted by the courts on or about October 17, 2005, and not to the existing national rule. This amendment is intended to operate along with the adoption of the amendments to Official Form 1, the voluntary petition.



(b) SCHEDULES, STATEMENTS, AND OTHER DOCUMENTS REQUIRED.

\*\*\*\*\*

(3) Unless the United States trustee has determined that the credit counseling requirement of §109(h) does not apply in the district, an individual debtor must file ~~the certificate and debt repayment plan, if any, required by §521(b), a certification under §109(h)(3), or a request for a determination by the court under §109(h)(4);~~ a statement of compliance with the credit counseling requirement, prepared as prescribed by the appropriate Official Form which must include one of the following:

(A) an attached certificate and debt repayment plan, if any, required by §521(b);

(B) a statement that the debtor has received the credit counseling briefing required by §109(h)(1) but does not have the certificate required by §521(b);

(C) a certification under §109(h)(3); or

(D) a request for a determination by the court under §109(h)(4).

\*\*\*\*\*

(c) TIME LIMITS. In a voluntary case, the schedules, ~~and~~ statements, and other documents required by subdivision (b)(1), (4), (5), and (6) shall be filed with the petition or within 15 days thereafter, except as otherwise provided in subdivisions (d), (e), (f), and (h) of this rule. In an involuntary case, the list in subdivision (a)(2), and the schedules, statements, and other documents required by subdivision (b)(1) shall be filed by the debtor within 15 days of the entry of the order for relief. ~~The documents re-~~

~~quired by subdivision (b)(3) shall be filed with the petition in a voluntary case. The statement required by subdivision (b)(7) shall be filed by the debtor within 45 days after the first date set for the meeting of creditors under §341 of the Code in a chapter 7 case, and no later than the last payment made by the debtor as required by the plan or the filing of a motion for entry of a discharge under §1328(b) in a chapter 13 case. The statement required by subdivision (b)(8) shall be filed by the debtor not earlier than the date of the last payment made under the plan or the date of the filing of a motion for entry of a discharge under §§1141(d)(5)(B), 1228(b), or 1328(b). In a voluntary case, the documents required by paragraphs (A), (C), and (D) of subdivision (b)(3) shall be filed with the petition. Unless the court orders otherwise, if the debtor has filed a statement under subdivision (b)(3)(B), the documents required by subdivision (b)(3)(A) shall be filed within 15 days of the order for relief. In a chapter 7 case, the debtor shall file the statement required by subdivision (b)(7) within 45 days after the first date set for the meeting of creditors under §341 of the Code, and in a chapter 13 case no later than the date when the last payment was made by the debtor as required by the plan or the filing of a motion for a discharge under §1328(b). The debtor shall file the statement required by subdivision (b)(8) no earlier than the date of the last payment made under the plan or the date of the filing of a motion for a discharge under §§1141(d)(5)(B), 1228(b), or 1328(b) of the Code. Lists, schedules, statements, and other documents filed prior to the conversion of a case to another chapter shall be deemed filed in the converted case unless the court directs otherwise. Except as provided in §1116(3) of the Code, any extension of time for the filing of the schedules, statements, and other documents required under this rule may be granted only on motion for cause shown and on notice to the United States trustee, and to any committee elected under §705 or appointed under~~

§1102 of the Code, trustee, examiner, or other party as the court may direct. Notice of an extension shall be given to the United States trustee and to any committee, trustee, or other party as the court may direct.

#### COMMITTEE NOTE

Subdivision (b)(3) of the rule is amended to require the debtor to file an Official Form relating to the credit counseling requirement provided by the 2005 amendments to §109. Official Form 1 includes statements that warn the debtor of the consequences of failing to comply with the credit counseling requirement. The rule also provides that the debtor may file a statement that the debtor has received credit counseling but has not yet received a certificate from the credit counseling provider. Subdivision (c) is amended to permit the debtor to file the certificate and debt repayment plan within 15 days after the filing of the petition if a Rule 1007(b)(3)(B) statement is filed. Other changes are stylistic.

It is hereby

**ORDERED**, that the proposed amendments to Rules 1007(b)(1)(E) and Rule 1007(b)(3) and (c) of the Interim local Rules of Bankruptcy Procedure are approved and adopted effective immediately. It is further

**ORDERED** that the Clerk of Court transmit a copy of the amendments to Rule 1007(b)(1)(E) and Rule 1007(b)(3) and (c) of the Interim Local Rules of Bankruptcy Procedure to the Director of the Administrative Office of the United States Courts and the Judicial Council of the Third Circuit Court of Appeals and make said Rules available to the bar and public.

FOR THE COURT:  
/s/Harvey Bartle, III  
HARVEY BARTLE, III,  
Chief Judge

Dec. 28

## **Lawyers Concerned For Lawyers Lawyers' Only Recovery Meetings**

### **Alcohol, Other Drugs and Gambling**

- **Doylestown** 2nd and 4th Tuesday of Month
- **Drexel Hill** Every Wednesday
- **Harrisburg** 1st Wednesday of Month
- **Norristown** 1st Thursday of Month
- **Philadelphia** Every Tuesday
- **Pittsburgh** Every Thursday
- **Reading** 3rd Monday of Month
- **Scranton** Every Thursday
- **State College** 2nd Tuesday of Month
- **Washington** Every Tuesday
- **West Chester** Every Thursday

*These are "closed meetings" - that is, only lawyers recovering from or trying to recover from alcohol, other drug or gambling problems may attend.*

### **Stress, Anxiety and Depression**

*The following are professionally facilitated meetings:*

**Philadelphia** - Stress Information and Recovery (1st Monday of Month)

**Philadelphia** - Depression Recovery (2nd Monday of Month)

**For more information, time and location of these meetings,  
call the LCL Administrative Office (1-800-335-2572)**

**or**

**the Confidential Lawyers' Helpline (1 - 888 - 999 -1941) .**

**IN RE: ESTATE OF ALBENA M. FRITTS, Deceased.***Undue Influence.*

Testatrix, Albena M. Fritts, executed a will in August of 1997, leaving 35% of her estate to her brother-in-law, Petitioner, Ralph Fritts. However, in March of 1998, Testatrix executed a new will that removed Petitioner as a beneficiary from her will, and she executed another will in May of 1998, again choosing not to name Petitioner as a beneficiary. Following her death in March of 2004, Petitioner filed the instant petition, alleging that the wills drafted in 1998 were the product of undue influence. After a bench trial, the Court ruled against Petitioner. The Court found that while Petitioner did present sufficient evidence that the proponent of the will, Shirley Blomquist, received a substantial benefit under the will, Petitioner failed to present clear and convincing evidence that Testatrix was of a weakened intellect and that the proponent of the will stood in a confidential relationship with Testatrix.

In the Court of Common Pleas of Northampton County, Pennsylvania, Orphans' Court, No. 2004-0360.

Order of Court denying Ralph Fritts' Petition for Citation on Appeal From Probate.

KEITH WELKS, ESQUIRE, for Petitioner.

STEVEN N. GOUDSOUZIAN, ESQUIRE, for the Estate.

Order of Court entered June 29, 2005 by GIORDANO, J.

*OPINION*

Presently before the Court is a Petition for Citation on Appeal From Probate brought by Petitioner, Ralph Fritts. Petitioner prays that the last will and testament of the Testatrix, Albena M. Fritts, be set aside on the basis that it was the product of undue influence. A non-jury trial was held before this Court from January 26-27, 2005, and further testimony was taken on February 23, 2005 by way of deposition. After a review of the evidence and the briefs submitted by the parties, the matter is ready for disposition.

*I. FINDINGS OF FACT*

1. The Testatrix is Albena M. Fritts. The Proponent of the will is Albena's niece, Shirley Blomquist. The Petitioner, who seeks to set aside the will, is Albena's brother-in-law, Ralph Fritts.
2. Albena Fritts was born on September 22, 1911.
3. Albena married Charles Martin Fritts in 1955. They lived in Forks Township in Northampton County, Pennsylvania.
4. During said marriage, Albena and Charles Fritts would often visit Ralph Fritts, who lived in Pennsylvania until 1978.
5. In 1978, Ralph Fritts moved to Arizona. He remained in frequent telephone contact with Albena and Charles and would make trips back to Pennsylvania to visit Albena and Charles two or three times a year.

6. In 1980, Charles Fritts died.

7. Following the death of Charles Fritts, Ralph Fritts stayed with Albena for a week and, being a stock broker, helped organize her finances. Ralph Fritts continued to visit Albena two or three times a year following Charles' death.

8. In the 1980s and 1990s, on an every other week basis, Shirley Blomquist would visit Albena and her mother, Bernice Mekolites, Albena's sister, who lived in Easton, Pennsylvania. On such visits, Shirley would spend the day with Bernice and Albena, helping them with shopping, taking them out for meals and doing other such things. They also saw each other for many holidays. Shirley lived approximately an hour away in New Jersey. When making such trips, Shirley would usually be accompanied by Deborah DeBaro, her daughter, or Ralph DeBaro, her son-in-law.

9. In 1995, Ralph Fritts moved to West Virginia.

10. Around the end of 1996 or the beginning of 1997, Albena was befriended by Rose Fashano, a woman who lived in her neighborhood.

11. In August of 1997, Albena retained Attorney Nicholas Sabatine. Albena showed Attorney Sabatine an unsigned document that she believed was her will and indicated to him that she wished to make the bequests set forth therein. Attorney Sabatine was concerned that there may not be enough money in Albena's estate to satisfy all the bequests set forth in said document. Attorney Sabatine thus suggested the use of percentages and, in accordance with the bequests set forth in the unsigned document, he prepared a will leaving 40% of the estate to Shirley Blomquist, 35% of the estate to Ralph Fritts, 15% of the estate to Bernice Mekolites and 10% of the estate to Gloria Gardner, one of Albena's nieces. Said will also named Shirley Blomquist as executrix. Attorney Sabatine believed that Albena had testamentary capacity. On August 21, 1997, Albena signed the will prepared by Attorney Sabatine. Attorney Sabatine also prepared a power of attorney naming Shirley Blomquist as Albena's attorney-in-fact, but said document was never signed by Shirley.

12. On December 4, 1997, Ralph Fritts visited Albena Fritts. While at her home, he discovered an unpaid bill from Attorney Sabatine. Ralph took Albena to Attorney Sabatine's office to pay the bill. While there, Ralph expressed concern about Albena's health and her financial affairs. Attorney Sabatine then met with Albena alone and she told him that she wanted Ralph to handle her financial affairs. Attorney Sabatine determined that Albena was coherent and rational. Attorney Sabatine then prepared a power of attorney naming Ralph as attorney-in-fact and said document was executed. Responding to the concerns raised by Ralph, Attorney Sabatine suggested an examination by Dr. Robert McEvoy and a consolidation of Albena's assets.

13. Ralph stayed with Albena for a few days in the first week of December of 1997. He then left for West Virginia and returned for another

visit approximately two weeks later. During these visits Ralph took Albena to see Dr. McEvoy on December 4, 1997 and on December 16, 1997. He also assisted Albena with her financial affairs. Several accounts were closed and a brokerage account was opened with Salomon SmithBarney. Albena, though fully competent and not suffering from any mental deficiencies at this time, did not fully understand the actions taken with respect to her finances. Ralph, however, felt confident that Albena could manage her own finances and he returned to West Virginia. Ralph wrote a letter to Shirley advising her of the actions taken with respect to Albena's finances.

14. On March 7, 1998, Albena received a statement from a bank indicating that one of her accounts had a balance of zero. Having not fully understood the actions taken in December of 1997 with respect to her finances, Albena was confused about what had happened and was upset. Later that day, Shirley Blomquist, Deborah DeBaro and Ralph DeBaro came to visit Albena. Rose Fashano was also at Albena's home. Albena was still upset about the bank statement. Rose then suggested that Ralph Fritts might have moved the money to a safer location. The police were called to the home. Shirley relayed Rose's suggestion that Ralph Fritts might have moved the money to the police officers. Shirley did not recall Ralph Fritts' letter at this time and thus did not advise the police officers as to the content of said letter. The police officers suggested seeing an attorney.

15. On March 9, 1998, Shirley Blomquist, Deborah DeBaro and Ralph DeBaro took Albena to see Attorney Karl Kline, in accordance with the suggestion made by the police officers. Attorney Kline met with Albena privately. Albena advised him that she knew certain actions had been taken with respect to her finances in December of 1997, but that she did not know what had been done or where her assets were located. She also told Attorney Kline that she was upset at Ralph Fritts for the actions taken with respect to her finances and that she wanted him out of her will and wanted Shirley Blomquist to serve as her attorney-in-fact. Attorney Kline determined that Albena possessed testamentary capacity. He then prepared a will removing Ralph Fritts as a beneficiary and divided the bequest Ralph was to receive in the prior will among the other beneficiaries. Said will left 61.5% of the estate to Shirley Blomquist, 23.1% of the estate to Bernice Mekolites and 15.4% of the estate to Gloria Gardner. Attorney Kline also prepared a power of attorney naming Shirley Blomquist as Albena's attorney-in-fact. Both the will and the power of attorney were then executed.

16. On March 16, 1998, Attorney Kline sent a letter to Ralph Fritts advising him that the power of attorney naming him as attorney-in-fact for Albena Fritts had been revoked. He also asked that Ralph provide him with an accounting with respect to the actions taken by Ralph as attorney-in-fact by June 26, 1998. Ralph Fritts then called Attorney Sabatine and informed him of the letter. Ralph never provided the accounting.

17. On March 23, 1998, Attorney Sabatine called Attorney Kline. Attorney Sabatine asked to see the documents signed by Albena Fritts, but Attorney Kline refused such access, absent a signed authorization from Albena.

18. On March 25, 1998, Shirley Blomquist, Deborah DeBaro and Ralph DeBaro were at Albena's home visiting with her. On that day, Ralph Fritts also went to Albena's home to visit her. He called Attorney Sabatine and informed him that he was going to Albena's home. Attorney Sabatine then left for Albena's home. Ralph Fritts and Attorney Sabatine arrived at Albena's home within a short time of each other. Ralph returned some documents and certain items to Albena. Attorney Sabatine then met privately with Albena. Attorney Sabatine had certain documents, including an authorization, for Albena to sign. However, Albena did not recognize Attorney Sabatine and he left without having any of the documents signed. Ralph Fritts, Shirley Blomquist and Albena Fritts then talked. Albena indicated that she wanted Shirley to serve as her attorney-in-fact and all three agreed that this was best. Ralph Fritts, Shirley Blomquist, Deborah DeBaro and Ralph DeBaro all felt that Albena was coherent on this day and understood what she was doing. Shirley called Attorney Kline and advised him of the events that took place.

19. On March 31, 1998, Attorney Kline met with Albena. Shirley was present, but Albena met with Attorney Kline privately. Attorney Kline again determined that Albena was competent and he prepared another power of attorney naming Shirley Blomquist as Albena's attorney-in-fact. The document was executed that day. Attorney Kline thought such action was advisable as he did not know if Ralph Fritts could be trusted and was concerned that Ralph Fritts might have had Albena sign a document naming him as attorney-in-fact.

20. On May 8, 1998, Attorney Kline again met with Albena. Shirley was present, but Albena met with Attorney Kline privately. At that time, an irrevocable trust and a pour over will were executed. Attorney Kline had prepared said documents because of his concerns regarding Ralph Fritts. Attorney Kline was satisfied with Albena's capacity as of this day and did not believe she was the victim of any undue influence. The dispositions made in the will were identical to those of the will previously drafted by Attorney Kline.

21. Albena's home was always well kept. At all times up to and including May 8, 1998, Albena Fritts was competent, coherent and rational and she fully understood the nature of her actions. At all times up to and including May 8, 1998, Albena Fritts was not of a weakened intellect.

22. In October of 1999, Albena moved from her home. She spent the remaining years of her life living in various nursing homes. Her mental state began to deteriorate sometime in the year 2001 and she died in March of 2004. Letters Testamentary were granted on March 29, 2004 in accordance with her will dated May 8, 1998.



23. A confidential relationship existed between Albena Fritts and Shirley Blomquist.

## II. DISCUSSION

With respect to the meaning of the term “undue influence,” the Pennsylvania Supreme Court has stated that:

The word ‘influence’ does not refer to any and every line of conduct capable of disposing in one’s favor a fully and self directing mind, but to a control acquired over another which virtually destroys his free agency. ... In order to constitute undue influence sufficient to void a will, there must be imprisonment of the body or mind ... fraud, or threats, or misrepresentations, or circumvention, or inordinate flattery, or physical or moral coercion, to such a degree as to prejudice the mind of the testator, to destroy his free agency and to operate as a present restraint upon him in the making of the will.

*Phillips’ Estate*, 244 Pa. 35, 43, 90 A. 457, 460 (1914) (citations omitted). “Because undue influence has been described as subtle, intangible, yet recognizable by human experience, it may be shown by circumstantial evidence. Nevertheless, opportunity, suspicion and conjecture do not create or amount to proof of ... undue influence and cannot carry the cause.” *In re Estate of Luongo*, 823 A.2d 942, 964 (Pa. Super. 2003) (citations omitted).

“Once a will has been probated, the contestant who claims that the will was procured by undue influence has the burden of proof.” *In re Estate of Angle*, 777 A.2d 114, 123 (Pa. Super. 2001).

To meet this burden, the contestant must establish by clear and convincing evidence that: (1) the testator was of weakened intellect a [sic] the time the will was executed; (2) the proponent of the will stood in a confidential relationship with the testator; and (3) the proponent received substantial benefit under the will.

*Luongo*, 823 A.2d at 963. If the contestant meets his burden with respect to each of these elements, the presumption attaches and the burden shifts to the proponent of the will to show the absence of undue influence by clear and convincing evidence. *See Estate of Reichel*, 484 Pa. 610, 614, 400 A.2d 1268, 1270 (1979). In the instant case, Ralph Fritts argues that he has satisfied each of the three elements set forth above and that the burden has therefore shifted to Shirley Blomquist to show the absence of undue influence by clear and convincing evidence. For the reasons stated herein, we disagree.

### A. Weakened Intellect

“While weakened intellect has never been expressly defined by a Pennsylvania appellate court, it is clear that the ‘weakened mental condi-

tion which must be shown does not rise to the level of testamentary incapacity.” *In re Estate of Glover*, 447 Pa. Super. 509, 517, 669 A.2d 1011, 1015 (1996) (quoting *In re Estate of Ziel*, 467 Pa. 531, 542, 359 A.2d 728, 734 (1976)). “Evidence of physical infirmities, however, is not enough, alone, to establish weakened intellect. So long as the mind ... is free to dictate direction and course, its decision will not be questioned in law even though the body be crippled with pain and the spirit awry with torment.” *Id.* (citations omitted). Weakened intellect “is typically accompanied by persistent confusion, forgetfulness and disorientation.” *Owens v. Mazzei*, 847 A.2d 700, 707 (Pa. Super. 2004).

When considering evidence regarding the decedent’s mental state, “the particular mental condition of the testatrix on the date she executed the will is not as significant when reflecting upon undue influence as it is when reflecting upon testamentary capacity.” *In re Estate of Clark*, 461 Pa. 52, 65, 334 A.2d 628, 634 (1975). This is because “[u]ndue influence is generally accomplished by a gradual, progressive inculcation of a receptive mind [and t]he ‘fruits’ of the undue influence may not appear until long after the weakened intellect has been played upon.” *Id.*

In the instant case, we do not find that Albena Fritts suffered from a weakened intellect at or around the time Ralph Fritts alleges that she was the victim of undue influence.<sup>1</sup> In arguing that Albena was of a weakened intellect at this time, Ralph Fritts places a great deal of reliance on the opinion of Dr. McEvoy, who concluded that Albena suffered from mild to moderate dementia in December of 1997. We, however, are unwilling to accord any great weight to Dr. McEvoy’s opinion. Dr. McEvoy was not Albena’s treating physician and only saw her after Attorney Sabatine’s referral. Further, Dr. McEvoy’s opinion was limited to December of 1997. He could not render an opinion as to Albena’s mental condition at any time before or after that point since he hadn’t seen Albena at anytime before or after December of 1997. Moreover, Dr. McEvoy had no independent memory of his visits with Albena and based his opinion on his notes from those visits, which had taken place several years ago. These notes contained an inconsistency regarding Albena’s ability to perform simple math, the existence of which was not fully explained. At one location, these notes indicated that Albena was unable to do simple math, but indicated at another location that she was able to do the math. This inconsistency is critical, as it appears that Dr. McEvoy’s opinion was based in large part upon Albena’s inability to do the math.

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<sup>1</sup> Ralph Fritts’ argument appears to be that Shirley Blomquist subjected Albena to undue influence sometime between August 21, 1997, when Albena signed the will drafted by Attorney Sabatine which included a bequest to Ralph Fritts, and March 9, 1998, when Albena signed the will drafted by Attorney Kline which removed Ralph Fritts as a beneficiary.

We also note that Dr. McEvoy's opinion is inconsistent with the testimony of several individuals who had personal contact with Albena, including Shirley Blomquist, Deborah DeBaro, Ralph DeBaro and Shirley's husband, Robert Blomquist, all of whom testified that they did not see any decline in Albena's mental state until several years after the time period in question. We also heard testimony from a neighbor, Thomas Todaro, who did not notice any decline in Albena's mental state at the time Ralph Fritts alleges that Albena was subjected to undue influence, and we heard testimony from Attorney Kline, a well respected member of the Bar, who testified that he did not question Albena's capacity, nor did he suspect that she might have been the victim of undue influence. Likewise, Attorney Sabatine, also a well respected member of the Bar, did not question Albena's mental capacity when he drafted a will for her in August of 1997 and he determined that she was coherent and rational when he drafted a power of attorney for her in December of 1997, just three months before Attorney Kline drafted the will eliminating the bequest made to Ralph Fritts. Indeed, even Ralph Fritts testified that he did not question Albena's mental state on March 25, 1998. The testimony of these individuals alone provides a sufficient basis on which to reject the conclusions of Dr. McEvoy. *See Estate of Younger*, 352 Pa. Super. 414, 418, 508 A.2d 327, 329 (1986) (according little weight to the testimony of a physician who had not seen the decedent for several years where said testimony was inconsistent with that of several individuals who had personal contact with the decedent at the time in question).

Ralph Fritts also makes much of the fact that Albena was confused in March of 1998 as to why she received a statement from one of her banks indicating a balance of zero and he places a great deal of emphasis on the fact that she did not recognize Attorney Sabatine when he arrived at her home in March of 1998. We, however, have found that, though fully competent and not suffering from any mental deficiencies at the time, Albena did not fully understand the actions taken with respect to her finances in December of 1997. Thus, it is no surprise that Albena was confused after receiving the bank statement in March of 1998. We also do not find it terribly unusual that Albena did not recognize someone whom she had seen on only two prior occasions and had not seen for several months. At best, this evidence only shows that Albena had some difficulty remembering things. It certainly is not clear and convincing evidence that she suffered from a weakened intellect at the time in question.

### B. Confidential Relationship

"A confidential relationship is any relationship existing between parties to a transaction wherein one of the parties is bound to act with the utmost good faith for the benefit of the other party and can take no advantage to himself from his acts relating to the interest of the other party."

*Biddle v. Johnsonbaugh*, 444 Pa. Super. 450, 455, 664 A.2d 159, 161-62 (1995). “Although no precise formula has been devised to ascertain the existence of a confidential relationship, it has been said that such a relationship is not confined to a particular association of parties, but exists whenever one occupies toward another such a position of advisor or counselor as reasonably to inspire confidence that he will act in good faith for the other’s interest.” *Estate of Lakatos*, 441 Pa. Super. 133, 142, 656 A.2d 1378, 1383 (1995). “When the circumstances make it clear that the parties to a transaction did not deal on equal terms, but that on the one side there was an overmastering influence, or, in the other, weakness, dependence or trust, justfully reposed, a confidential relationship exists.” *Estate of Krempasky*, 348 Pa. Super. 128, 131, 501 A.2d 681, 682 (1985).

“In some cases the confidential relation is a conclusion of law, in others it is a question of fact to be established by the evidence.” *Leedom v. Palmer*, 274 Pa. 22, 25, 117 A. 410, 412 (1922). “Whether or not a confidential relationship exists in a given case is usually a question of fact to be determined by no inflexible rule but by a weighing of the particular factors present in that case.” *Stauffer v. Stauffer*, 465 Pa. 558, 569, 351 A.2d 236, 241-42 (1976).

Evidence of a parent-child relationship with the decedent is not enough, alone, for a finding of a confidential relationship. See *In re Estate of Jakiella*, 353 Pa. Super. 581, 586, 510 A.2d 815, 818 (1986). Likewise, where an individual is appointed as attorney-in-fact at the decedent’s insistence, the appointment does not give rise to a confidential relationship. See *In re Estate of Ziel*, supra at 542, 359 A.2d at 734 (finding that a confidential relationship did not exist between the decedent and his attorney-in-fact where the power of attorney was executed at the decedent’s insistence and for his convenience); *Jakiella*, supra at 586-87, 510 A.2d at 818 (“The record in this case reveals that it was the testatrix who desired to appoint appellee as her attorney-in-fact: thus, the testatrix’s grant of her power of attorney to appellee does not support a confidential relationship.”). See also, *Angle*, supra at 123 (“A parent-child relationship does not establish the existence of a confidential relationship nor does the fact that the proponent has a power of attorney where the decedent wanted the proponent to act as attorney-in-fact.”).

In the instant case, the record is devoid of any facts on which we could conclude that a confidential relationship existed between Albena and Shirley at the time of the alleged influence. There is simply no evidence of an overmastering influence exercised by Shirley, nor is there any evidence that Albena was dependant upon Shirley. Indeed, the record reveals that Shirley only saw Albena on an every other week basis. On the facts before us, we cannot say that the relationship between Shirley and Albena was anything other than a loving and caring relationship between a niece and her aunt.

We also note that the power of attorney naming Shirley as Albena's attorney-in-fact has little bearing upon our analysis. As an initial matter, it should be pointed out that on March 25, 1998, Ralph Fritts himself agreed that Shirley should serve as Albena's attorney-in-fact. Moreover, Ralph Fritts' argument appears to be that Shirley subjected Albena to undue influence sometime between August 21, 1997, when Albena signed the will drafted by Attorney Sabatine which included a bequest to Ralph Fritts, and March 9, 1998, when Albena signed the will drafted by Attorney Kline which removed Ralph Fritts as a beneficiary. However, Shirley was not Albena's attorney-in-fact over this period of time. Indeed, from December 4, 1997 to March 9, 1998, Ralph Fritts was Albena's attorney-in-fact. Thus, even if we were to conclude that a confidential relationship was created when Shirley was named as Albena's attorney-in-fact, a conclusion we are unwilling to make on the record before us, this conclusion would be of little consequence since said confidential relationship was not in existence at the time of the alleged influence.

Finally, we note that while the existence of a power of attorney may be very strong indicia of a confidential relationship in some cases, *see e.g., Foster v. Schmitt*, 429 Pa. 102, 108, 239 A.2d 471, 474 (Pa. 1968), this is generally not so when the decedent requests that the individual serve as his or her attorney-in-fact. *See e.g., Ziel*, supra at 542, 359 A.2d at 734; *Jakiella*, supra at 586, 510 A.2d at 818; *Angle*, supra at 123. In the instant case, it was Albena who requested that Shirley serve as her attorney-in-fact. Thus, for these reasons, we do not find the existence of a confidential relationship between Shirley and Albena.

### C. Substantial Benefit

"Substantial benefit" has never been defined by Pennsylvania's appellate courts and whether one has received a substantial benefit is determined on a case-by-case basis. *See In re Estate of LeVin*, 419 Pa. Super. 89, 97, 615 A.2d 38, 41-42 (1992) (citing *In re Adams' Estate*, 220 Pa. 531, 534, 69 A. 989, 990 (1908)). It is clear, however, that one has received a substantial benefit when that individual stands to receive the bulk of the decedent's estate and, indeed, our appellate courts often refer to this element as a requirement that the beneficiary receive the "bulk" of the estate. *See e.g., In re Estate of Stout*, 746 A.2d 645, 648 (Pa. Super. 2000); *In re Estate of Simpson*, 407 Pa. Super. 1, 9, 595 A.2d 94, 98 (1991).

In the instant case, we find no problem concluding that Shirley Blomquist stands to receive a substantial benefit under Albena Fritts' will as she stands to receive 61.5% of Albena's estate. However, "[i]t is only after all three elements are satisfied that the burden shifts to the proponent of the will to show the absence of undue influence." *Id.* *See also, Glover*, supra at 518 n.4, 669 A.2d at 1016 n.4 ("Once the will contestant fails to prove any one of the three elements required to establish undue influence,

his/her claim must necessarily fail.”). As Ralph Fritts has failed to meet his burden with respect to the elements of weakened intellect and confidential relationship, his petition must be denied.

WHEREFORE, we enter the following order:

*ORDER*

AND NOW, this 29th day of June, 2005, Ralph Fritts’ Petition for Citation on Appeal From Probate is DENIED.

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