

# Northampton County Reporter

(USPS 395-280)

VOL.LIV

EASTON, PA January 25, 2007

NO. 108

**Eileen G. Ross, Plaintiff v. Glenmoor, L.P., Defendant**

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**INSERT:** Green: 1. 2007 Calendar of Events

2. NCBA Welcomes New Members

3. PBI/CLE Seminars—NCBA Office—March-April 2007

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

**Dues Reminder:** Full payments and first installment payments are due January 31, 2007.

**NORTHAMPTON COUNTY BAR ASSOCIATION  
2007 BAR ASSOCIATION OFFICERS**

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*Northampton County Reporter*  
**Attorney Referral & Information Service**  
**155 South Ninth Street, Easton, PA 18042-4399**  
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**E-mail: [ncba@norcobar.org](mailto:ncba@norcobar.org)**  
**PBA (800) 932-0311—PBI (800) 932-4637**  
**BAR ASSOCIATION STAFF**

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Stephanie Pasquel ..... Accounting  
Heather Rizzotto-Stefanik ..... Legal Journal  
Gloria A. Robison ..... Attorney Referral  
Deborah J. Flanagan ..... 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 Calendar of Events**

**PBI/CLE Calendar**

***Committee Chairs***—please call the NCBA office to schedule your first committee meeting for the year—610-258-6333.

***2007 NCBA Committees***—Committees are in the process of reorganizing for 2007 and will begin scheduling a first meeting. Please return your Committee Preference Form so you are informed of the meetings.

***Mark Your Calendar:***

**Quarterly Association Meeting**—March 15, 2007, Best Western, Bethlehem

**Reception for the Court**—March 30, 2007, Silver Creek Country Club

**Summer Outing**—Thursday, July 19, 2007, Louise Moore Park, Easton (some members are already practicing for the quoits tournament!)

An injury is much sooner forgotten than an insult.—Lord Philip Dormer Stanhope Chesterfield, 1694-1773.

**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****BERNHARD, MARY D.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA  
 Administrator: Richard W. Bernhard c/o Jacob S. Kolb, Esquire, Kolb, Vasiliadis and Florenz, 74 West Broad Street, Ste. 170, Bethlehem, PA 18018-5738

Attorneys: Jacob S. Kolb, Esquire, Kolb, Vasiliadis and Florenz, 74 West Broad Street, Ste. 170, Bethlehem, PA 18018-5738

**CUNERD, WARREN a/k/a WARREN H. CUNERD,** dec'd.

Late of Bethlehem Township, Northampton County, PA  
 Executor: Dennis R. Cunerd c/o Thomas J. Fischer, Esquire, 1021 West Broad Street, Bethlehem, PA 18018

Attorney: Thomas J. Fischer, Esquire, 1021 West Broad Street, Bethlehem, PA 18018

**DANNER, MILES PATRICK,** dec'd.

Late of the City of Bethlehem, Northampton County, PA

Administrator: Mark Danner c/o Fox Williamson Mattioli, P.C., 1012 West Broad Street, Bethlehem, PA 18018

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

**FLUCK, ANNIE M. a/k/a ANNIE R. FLUCK,** dec'd.

Late of the Borough of Hellertown, Northampton County, PA

Executrix: Marie E. Fluck 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

**HEAVENER, SAMUEL M. a/k/a SAMUEL HEAVENER,** dec'd.

Late of the Township of Williams, Northampton County, PA

Executrix: Barbara Houptley c/o Frank S. Poswistilo, Esquire, 204 North Thirteenth St., Easton, PA 18042

Attorney: Frank S. Poswistilo, Esquire, 204 North Thirteenth St., Easton, PA 18042

**KLINE, RUTH T.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA

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

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

**MURPHY, WILLIAM T.**, dec'd.

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

Executor: Bruce W. Murphy c/o David J. Ceraul, Esquire, 22 Market Street, P.O. Box 19, Bangor, PA 18013-0019

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

**NOVAK, JOHN R., JR. a/k/a JOHN R. NOVAK a/k/a JOHN NOVAK**, dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Co-Executors: Deborah A. Bouman and John R. Novak, III c/o Littner, Deschler & Littner, 512 N. New Street, P.O. Box 1407, Bethlehem, PA 18016-1407

Attorneys: Littner, Deschler & Littner, 512 N. New Street, P.O. Box 1407, Bethlehem, PA 18016-1407

**SAR, CECILIA M.**, dec'd.

Late of the Township of Palmer, Northampton County, PA  
Administrator: James N. Frangos, 500 Waverly Avenue, Clarks Summit, PA 18411

Attorney: Keene Jabbour, Esquire, 701 Washington Street, Easton, PA 18042

**STEM, EVELYN MAE a/k/a E. MAE STEM a/k/a MAE STEM**, dec'd.

Late of the Township of Palmer, Northampton County, PA  
Co-Executors: Mr. Warren D. Mehrkam, 35 Shirley Street, Easton, PA 18042 and Robert A. Nitchkey, Jr., Esquire,

Hemstreet, Nitchkey & Freidl, 730 Washington Street, Easton, PA 18042

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

**SECOND PUBLICATION****BEBLAVY, CATHERINE V. a/k/a CATHERINE VERONICA BEBLAVY a/k/a CATHERINE BEBLAVY**, dec'd.

Late of Northampton, Northampton County, PA

Co-Administrators: Irene V. Tanzosh, 2316 Main Street, Northampton, PA 18067 and Thomas S. Nederostek, 2311 Main Street, Northampton, PA 18067

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

**CHRISTMAN, MARY L.**, dec'd.

Late of the Township of Moore, Northampton County, PA  
Executor: Forrest L. Hartman, 562 Moorestown Drive, Bath, PA 18014

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

**DONCHES, HELEN T.**, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Co-Executors: Margaret M. Donches and Stephen G. Donches c/o Frank J. Danyi, Jr., Esquire, Maloney, Danyi, Sletvold & O'Donnell, 901 West Lehigh Street, Bethlehem, PA 18016-1279

Attorneys: Frank J. Danyi, Jr., Esquire, Maloney, Danyi,

Sletvold & O'Donnell, 901 West Lehigh Street, Bethlehem, PA 18016-1279

**GEBERT, FREDERICK**, dec'd.

Late of the Township of Moore, Northampton County, PA  
Executrix: Dortha D. Gebert 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

**GOLD, GRACE K.**, dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executor: Glenn A. Gold, 2002 Oakwood Court, Bethlehem, PA 18015-5643

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

**HAAS, PAULINE L.**, dec'd.

Late of Hellertown, Northampton County, PA

Executrix: Pamela I. Moll c/o Noonan & Prokup, 526 Walnut St., Allentown, PA 18101

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

**KREIDLER, HENRY A. a/k/a HENRY ARTHUR KREIDLER**, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Thomas M. Kreidler c/o Littner, Deschler & Littner, 512 N. New Street, P.O. Box 1407, Bethlehem, PA 18016-1407

Attorneys: Littner, Deschler & Littner, 512 N. New Street, P.O.

Box 1407, Bethlehem, PA 18016-1407

**RIETHER, ROBERT D.**, dec'd.

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

Executrix: Letizia G. Riether, 1656 Wildberry Road, Bethlehem, PA 18015

Attorneys: Glenn A. Henkel, Esquire, Kulzer & DiPadova, 76 E. Euclid Avenue, Suite 300, Haddonfield, NJ 08033

**RIFFEE, BARBARA M. a/k/a BARBARA MONROE RIFFEE**, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: Deborah Miller c/o Fox Williamson Mattioli, P.C., 1012 West Broad Street, Bethlehem, PA 18018

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

**WILLIAMS, HELEN F. a/k/a HELEN WILLIAMS**, dec'd.

Late of Lower Saucon Township, Northampton County, PA

Executrix: Diane W. Zeoli 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

**THIRD PUBLICATION**

**BARNETT, MARY JANE**, dec'd.

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

Co-Executors: William F. Barnett and Kelly Stauffer

Branscom a/k/a Kelly Jo S. Branscom 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

**BRUNELL, JASON E.,** dec'd.

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

Administratrix: Joyce M. Brunell c/o April L. Cordts, Esquire, 391 Nazareth Pike, Bethlehem, PA 18020

Attorney: April L. Cordts, Esquire, 391 Nazareth Pike, Bethlehem, PA 18020

**EISOLD, JEROME W., SR.** a/k/a **JEROME W. EISOLD,** dec'd.

Late of the Borough of Roseto, Northampton County, PA

Executrix: Cassandra Ponnert 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

**FAULKNER, ROBERT G.,** dec'd.

Late of the City of Easton, Northampton County, PA

Administrator: David S. Faulkner c/o Daniel E. Cohen, Attorney, Laub, Seidel, Cohen, Hof & Reid, L.L.C., 8 Centre Square, Easton, PA 18042

Attorneys: Daniel E. Cohen, Attorney, Laub, Seidel, Cohen,

Hof & Reid, L.L.C., 8 Centre Square, Easton, PA 18042

**FIORIGLIO, REGINA S.,** dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Regina F. Russo c/o Richard L. Campbell, Esquire, 628 West Broad Street, Bethlehem, PA 18018

Attorney: Richard L. Campbell, Esquire, 628 West Broad Street, Bethlehem, PA 18018

**GALATI, ROSARIA G.,** dec'd.

Late of the Township of Forks, Northampton County, PA

Co-Executors: Anthony Galati and John Galati c/o Richard J. Shiroff, Esquire, 724 Lehigh Street, Easton, PA 18042

Attorney: Richard J. Shiroff, Esquire, 724 Lehigh Street, Easton, PA 18042

**HORST, RUSSEL J.,** dec'd.

Late of Hanover Township, Northampton County, PA

Executrix: Ruth E. Chupella c/o Michael E. Riskin, Esquire, Riskin and Riskin, 18 E. Market St., P.O. Box 1446, Bethlehem, PA 18016-1446

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

**JENKINS, MARY LOU a/k/a MARY LOUISE JENKINS,** dec'd.

Late of Bethlehem Township, Northampton County, PA

Co-Executrices: Diane Mills and Linda Thomas c/o Richard J. Schaedler, Esquire, Majczan-Schaedler-Kelleher, 901 West Lehigh Street, Suite 200, Bethlehem, PA 18018

Attorneys: Richard J. Schaedler, Esquire, Majczan-Schaed-

ler-Kelleher, 901 West Lehigh Street, Suite 200, Bethlehem, PA 18018

**KEICHEL, OLGA M.**, dec'd.

Late of the Township of Palmer, Northampton County, PA

Executor: Ronald A. Klein 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

**KENNEDY, RUTH L.**, dec'd.

Late of the Township of Moore, Northampton County, PA

Executor: Stanley Flamisch c/o Gregory R. Reed, Esquire, Attorney-at-Law, 141 South Broad Street, P.O. Box 299, Nazareth, PA 18064-0299

Attorney: Gregory R. Reed, Esquire, Attorney-at-Law, 141 South Broad Street, P.O. Box 299, Nazareth, PA 18064-0299

**MASON, JUDITH a/k/a JUDITH RODRIGUEZ**, dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Co-Administrators: Julio V. Cordero and Maria T. Dabney 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

**SANCHEZ, MARIA E.**, dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Zenaida Ramos Rivera, 9021 Independence Drive, Green Lane, PA 18054  
Attorneys: Gerald L. Mullaney, Sr., Esquire, Mullaney Law Offices, 598 Main Street, Red Hill, PA 18076

**NOTICES OF INCORPORATION**

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

The name of the corporation is:

**1427 MARVINE STREET, INC.**

Tallman, Hudders & Sorrentino, P.C.

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

Jan. 25

**BLF DISTRIBUTING, INC.**

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

Jan. 25

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



The name of the corporation is:  
**FAIRCHILD PROPERTIES, INC.**

The Articles of Incorporation were filed on January 17, 2007.

JAMES G. MURPHY, ESQUIRE  
MURPHY & MURPHY, P.C.  
106 N. Franklin St.  
Suite 2  
P.O. Box 97  
Pen Argyl, PA 18072

Jan. 25

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

The name of the corporation is:  
**FAIRCHILD RENTAL PROPERTIES, INC.**

The Articles of Incorporation were filed on January 17, 2007.

JAMES G. MURPHY, ESQUIRE  
MURPHY & MURPHY, P.C.  
106 N. Franklin St.  
Suite 2  
P.O. Box 97  
Pen Argyl, PA 18072

Jan. 25

**J.C.T. LOGGING, INC.**

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

Jan. 25

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 of a pro-

posed business corporation to be organized under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the corporation is:  
**SCOTT'S COLLISION CENTER, INC.**

Robert H. Jacobs, Esquire  
Jacobs & Jacobs  
8 Centre Square  
Easton, PA 18042

Jan. 25

**FICTITIOUS NAME REGISTRATION NOTICE**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act No. 295 of 1982 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 Pennsylvania, under the assumed or fictitious name, style or designation of:

**LAL INTERIORS**

with its principal place of business at: 425 Iron St., West Easton, PA 18042.

The name of the person interested in said business is: Elizabeth Loane.

The certificate has been/will be filed on (or after) October 5, 2006.

Jan. 25

**LIMITED LIABILITY COMPANY NOTICES**

NOTICE IS HEREBY GIVEN that a Certificate of Organization for a Domestic Limited Liability Company has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania on or about January 3, 2007, for the purpose of creating a Limited Liability Company under the

Limited Liability Company Law of 1994, P.L. 703, No. 106.

The name of the limited liability company is:

**DELANEY CARPENTRY, LLC**

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

Jan. 25

NOTICE IS HEREBY GIVEN that on January 5, 2007, Certificate of Organization was filed in the Department of State of the Commonwealth of Pennsylvania for:

**DIXIE LOFTS GP, LLC**

in accordance with the Limited Liability Act of 1994.

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

Jan. 25

NOTICE IS HEREBY GIVEN that a Certificate of Organization for a Domestic Limited Liability Company was filed with the Department of State of the Commonwealth for:

**RWR ENGINEERING, LLC**

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

McFALL, LAYMAN  
& JORDAN, P.C.  
134 Broadway  
Bangor, PA 18013

Jan. 25

**LEGAL SECRETARY**

Busy General Practice law firm seeking full-time legal secretary for their Easton office, criminal and/or Personal Injury helpful, but not necessary. Salary commensurate with experience. Interested applicants should fax a resume, references and salary requirements in confidence to (610) 559-7405.

Jan. 25; Feb. 1

**PARALEGAL**

Full-time for plaintiff personal injury litigation practice. Experience

required. Salary commensurate with experience. Mail or fax resume to Michael A. Snover, Esq., 2571 Baglyos Circle, Suite B-25, Bethlehem, PA 18020. FAX (484) 821-1009.

Jan. 18, 25; Feb. 1

**IN THE COURT OF  
COMMON PLEAS OF  
NORTHAMPTON COUNTY**

PROGRESSIVE CASUALTY  
INSURANCE COMPANY,  
5000 Tilghman Street  
Suite 300  
Allentown, PA 18104

Plaintiff

vs.

TYE BAUMGARTNER,

Defendant

vs.

TIA BAUMGARTNER, BERNARD  
D. GIST and AMY L. GIST

Interested Parties

**NO. C-48-CV-2005-7103**

To: Tye Baumgartner  
12 S. 8th St.

Stroudsburg, PA 18360

Date of Notice: January 11, 2007  
**IMPORTANT NOTICE**

You are in default because you have failed to enter a written appearance personally or by attorney and file in writing with the court your defenses or objections to the claims set forth against you. Unless you act within ten days from the date of this notice a judgment may be entered against you without a hearing and you may lose your property or other important rights.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Northampton County Lawyer  
Referral Service (ARIS)  
155 S. 9th Street  
Easton, PA 18042  
(610) 258-6333

BRIAN J. DOUGHERTY,  
ESQUIRE

Attorney I.D. #87754  
LAW OFFICES OF  
CATHERINE T. CAREY  
Attorneys for Plaintiff,  
Progressive Casualty Insurance  
Company

2200 Stafford Avenue  
Suite 500  
Scranton, PA 18505  
Ph: (570) 961-7580

Jan. 25

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

The following real estate will be sold by the Sheriff of Northampton County, Pennsylvania, on February 9, 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. 1  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-001962**

TRACT No. 1

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

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

BEGINNING at a point, being the northwest corner of the intersection of South Third Street and an alley; thence westwardly along the North side of said alley West, 61 feet to a point and other land now or late of Polly C. Laveton, widow; thence by the same North 40 feet to a point and other land now or late of Polly C. Laveton, widow; thence by the same and land now or late of Asher G. Abel, East 61 feet to a point on the West side of South Third Street; thence along the West side of South Third Street, South 40 feet to a point, the place of BEGINNING.

TRACT No. 2

ALL THAT CERTAIN piece, parcel, lot or tract of land lying and being in the Borough of Bangor, County of Northampton, and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the North side of an alley, being the southwest corner of lot conveyed by Polly C. Laveton to Mabel S. Woodley on which residence known as 118 South Third Street, Bangor, Pennsylvania, is located; thence generally North, along said lot now or late of Mabel S. Woodley, forty (40) feet to a point, the northwest corner of the Woodley lot; thence generally West, in a line that is a projection of the North boundary of the Woodley lot, along other land now or late of Polly C. Laveton, widow, ten (10) feet to land reputed to be now or late of Ethel Francis; thence generally South, along the same, forty (40) feet to a point on the North side of said alley; thence generally East

along the North side of said alley; thence generally East along the North side of said alley ten (10) feet to a point, the place of BEGINNING.

BEING THE SAME PREMISES which Celia Lindblom, widow, by indenture bearing dated the 6th day of January, 1997, and being recorded at Easton, in the Office for the Recording of Deeds, in and for the County of Northampton, on the 13th day of January, 1997, in Record Book Volume 1997-1, page 3429, granted and conveyed unto Stephen G. Maybee and Gretchen Z. Maybee, his wife, in fee.

**RECORD OWNER**

TITLE SAID PREMISES IS VESTED IN Laurel B. Nosal by Deed from Stephen G. Maybee and Gretchen Z. Maybee, husband and wife, dated 12/31/01, recorded 1/9/02 in Book 2002-1 Page 84 18.

**PRIOR DEED INFORMATION**

TITLE TO SAID PREMISES IS VESTED IN Stephen G. Maybee and Gretchen Z. Maybee, husband and wife, by Deed from Celia Lindblom, widow, dated 1/6/97, recorded 1/13/97 in Book 1997-1 Page 3429.

Premises being: 118 SOUTH 3RD STREET, BANGOR, PA 18013.

Tax Parcel No. 06-Q8S6-001-504.

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 Laurel B. Nosal a/k/a Laurel B. Carlson.

DANIEL G. SCHMIEG. ESQUIRE

**No. 2**

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

**CV-2006-004216**

ALL THAT CERTAIN lot or piece of ground with the 2-1/2 story hol-

low tile message or tenement thereon erected.

SITUATED in the City of Easton, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point, the Northwest corner of Valley Avenue and Grant Street; thence extending West along the North side of Grant Street a distance of 20 feet; thence in a Northwardly direction at right angles to the said Grant Street a distance of 140 feet to an alley; thence along the said South side of an alley, a distance of 20 feet to Valley Avenue; thence along the West side of said Valley Avenue, in a Southwardly direction a distance of 140 feet to the place of beginning.

BOUNDED AS FOLLOWS: Southerly by Grant Street; Westerly by One half double hollow, tile house known as No. 803 Grant Street; North by the above mentioned alley and easterly by Valley Avenue;

BEING NO. 801 Grant Street, Northampton County, PA,

ALSO BEING KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER; MAP M9NE1A BLOCK 19 LOT 1.

BEING THE SAME PREMISES which Scott M. Durnin, married and Kathleen A. Durnin, his wife, by Deed dated November 30, 1999, and recorded in the Recorder of Deeds Office of Northampton County, Pennsylvania, in Record Book Volume 2000-1, Page 7860, granted and conveyed unto Scott F. Frederick, married, and Vilma Frederick, his wife.

PARCEL IDENTIFICATION NO: M9NE1A-19-1.

**RECORD OWNER**

TITLE TO SAID PREMISES IS VESTED IN Frank D. Wass, unmar-

ried and Julie A. Gerberich, unmarried, as joint tenants with the right of survivorship, not as tenants in common, by Deed from Scott F. Frederick and Vilma Frederick, husband and wife, dated 06/25/2002, recorded 07/03/2002, in Deed Book 2002-1, page 172545.

**PRIOR DEED INFORMATION**

TITLE TO SAID PREMISES IS VESTED IN Scott F. Frederick, married and Vilma Frederick, his wife, by Deed from Scott M. Durnin, married and Kathleen A. Durnin, his wife, dated 11/30/1999, recorded 01/21/2000, in Deed Book 2000-1, page 7860.

Premises being: 801 WEST GRANT STREET, EASTON, PA 18042.

Tax Parcel No. M9NE 1A-19-1.

SEIZED AND TAKEN into execution of the writ as the property of Julie A. Gerberich and Frank D. Wass a/k/a Francis D. Wass.

DANIEL G. SCHMIEG, ESQUIRE

**No. 3  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-007007**

All that certain messuage or tenement and tract or piece of land, situate in the Township of Plainfield, Northampton County, Pennsylvania, bounded and described as follows, to wit:

Tract No. 2: Beginning at a stone near a white oak tree, in the corner of the lands of Edward Detweiler and R. Laubach, (formerly Moss and Stofflet); thence along the Laubach, formerly A.C. Stofflet and land South 1 degrees 9 minutes 30 seconds East 367.95 feet to a stake and by the same and Wesley Methodist Church Lot, South 77 degrees 57 minutes West 242.87 feet to a 24 feet wide road granted in Deed A-

73-196; thence across the end of road and along the line of land of F.M. and K. Olszewski, North 9 degrees No minutes 479 feet passing 63 feet from their dwelling to an iron pipe; thence South 81 degrees No minutes west 102 feet to a stake in the East line of a 16 feet wide private road and the land of the grantor; thence along the road North 9 degrees no minutes west 20 feet to a stake; thence along the land of the grantor of which this has been a part, North 81 degrees no minutes East 390.80 feet to a stake and the land of Edward Detweiler formerly Moser; thence by the same South 10 degrees 39 minutes east 121.50 feet to the point and place of beginning. Containing 3.128 acres of land, strict measure.

Together with the private road loading form the southwest portion of the premises to the highway, it being Twenty-four (24) feet in width at the point where the private roads joins the above-described premises and being in distance One Hundred and Two (102) feet to the aforesaid highway where the aforesaid highway intersects with another sixteen and one-half (16 1/2) foot private road.

Less and Excepting:

All that certain tract or pieced of land situate in the Township of Plainfield, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

Beginning at a stake formerly the Southwesterly corner of the land of Herbert Heard and in the corner of the land of Frank Deade; thence along said land and the Wesley Methodist Episcopal Church, South Seventy-seven (77) Degrees Fifty-seven (57) minutes West Two Hundred seventeen and thirty-nine one-hun-

dredths (217.39) feet to a stake; thence along the land of Herbert Heard, of which this was a part, North Three (3) degrees Thirty-eight (38) minutes forty-nine (49) seconds west one hundred one and sixteen one-hundredths (101.16) feet to a stake, said stake being thirty-five (35) feet easterly from the line of the lands of Barron; thence along the land of the Grantors, north eighty-eight (88) degrees fifty (50) minutes thirty (30) seconds East Two Hundred seventeen and eighty-five one hundredth (217.85) feet to a stake and the land of Frank Deade; thence along said, land, South one (1) degrees nine (9) minutes thirty (30) seconds East Sixty (60) feet to the place of beginning.

BEING the same premises which Arlene Tenges Heard, widow by Deed dated January 3, 1986 and recorded in the Office of the Recorder of Deeds in Northampton County on January 7, 1986 in Book 694, page 481, granted and conveyed unto Michael M. Russo and Stephanie A. Russo, his wife.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: G8-15-10A.

BEING KNOWN AS 603 School Road, Nazareth, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Michael M. Russo and Stephanie Russo a/k/a Stephanie A. Russo.

LAUREN R. TABAS, ESQUIRE

**No. 4**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-006967**

ALL THAT CERTAIN tract of land situate in Section No. 1, Old Forge

Estates, Borough of Bath, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the easterly property line of Old Forge Drive (45.00 feet wide), said point also marks the northwest corner of Lot No. 65; thence (1) from the point of beginning and along the said easterly property line of Old Forge Drive, North 21 degrees 53 minutes 00 seconds West, 18.00 feet to a point; thence (2) along Lot No. 67, North 68 degrees 07 minutes 00 seconds East 82.50 feet to a point; thence (3) along land of Bath Republican Association, South 21 degrees 53 minutes 00 seconds East 18.00 feet to a point; thence (4) along Lot No. 65, South 68 degrees 07 minutes 00 seconds West, 82.50 feet to the point or place of Beginning.

BEING KNOWN as Lot No. 66, Old Forge Estates, Section 1.

BEING ALLAS SHOWN on a plan of Section No. 1, Old Forge Estates, Plan #P-1213, dated April, 1972, and last revised on August 18, 1972 as prepared by Fogarasi & Moyer, Inc., Consulting Civil Engineers, Allentown, Pennsylvania, and said plan is recorded in the Recorder of Deeds Office of Northampton County in Plan Book Volume 30, page 26.

BEING KNOWN AS NORTHAMPTON COUNTY PARCEL IDENTIFIER No. K6NW4B-1-16.

BEING the same premises which Mary Cogorno, married, by Deed dated September 29, 1995, and recorded October 4, 1995, in Book 1995-1, Page 93749, granted and conveyed unto Kevin C. Traupman and Christina Traupman, husband and wife, in fee.

PARCEL IDENTIFICATION NO:  
K6NW4B-1-16.

Premises: 227 Old Forge Drive,  
Bath, PA 18014, Bath Borough,  
Northampton County, Pennsylvania.

**RECORD OWNER**

TITLE TO SAID PREMISES IS  
VESTED IN Joseph G. Barrasso, by  
Deed from Kevin C. Traupman and  
Christina Traupman, husband and  
wife, dated 10/31/2005, recorded  
11/09/2005, in Deed Book 2005-  
1, page 448524.

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

SEIZED AND TAKEN into execu-  
tion of the writ as the property of  
Joseph G. Barrasso.

DANIEL G. SCHMIEG, ESQUIRE

**No. 5**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-003236**

PARCEL NO. 1: ALL THAT CER-  
TAIN parcel of land situate in the  
Borough of Bangor, County of  
Northampton and State of Pennsyl-  
vania, and being more particularly  
bounded and described as follows,  
to wit:

BEGINNING at a point, said point  
being the intersection of the East-  
ern right-of-way line of South First  
Street and the Southern right-of-way  
line of Messinger Street viaduct;  
thence (1) Easterly along the South-  
erly right-of-way line of said  
Messinger Street viaduct, North 80  
Degrees 09 Minutes 00 Seconds  
East, line of said Messinger Street  
viaduct, North 80 Degrees 09 Min-  
utes 00 Seconds East, 102.15 feet  
to a point in the Western right-of-  
way line of a 16.00, foot wide alley;  
thence (2) Southerly along the West-  
ern right-of-way line of said 16.00

feet wide alley, South 08 Degrees  
04 Minutes 00 Seconds East, 26.05  
feet to a point and corner of lands  
now or formerly of said Clyde W.  
Hulsizer; thence (3) Westerly along  
lands now or formerly of said Clyde  
W. Hulsizer, South 79 Degrees 37  
Minutes 04 Seconds West, 48.09  
feet to a point in the centerline of  
the party wall of a double dwelling  
known as 501 and 503 South First  
Street; thence (4) Westerly along the  
centerline of the party wall of said  
double dwelling, South 80 Degrees  
37 Minutes 22 Seconds West, 55.18  
feet to a point in the Eastern right-  
of-way line of the aforesaid South  
First Street; thence (5) Northerly  
along the Eastern right-of-way line  
of said South First Street, North 05  
Degrees 37 Minutes 00 Seconds  
West, 26.10 feet to a point, the place  
of beginning.

The above description is in ac-  
cordance with a recent survey made  
by Richard J. Edinger, L.S., on No-  
vember 4, 1977.

PARCEL NO. 2: ALL THAT CER-  
TAIN messuage, tract, piece or par-  
cel of land situate in the Borough of  
Bangor, in the County of Northamp-  
ton and State of Pennsylvania,  
bounded and described as follows,  
to wit:

BEGINNING at a point, the  
Southeast corner of Messinger and  
South First Street; thence, along  
South First Street North five Degrees  
thirty-seven minutes East fourteen  
and nine-tenths feet to a point in  
Messinger Street; thence, in a  
Southeastern direction seventy-  
three feet, more or less, to a point;  
thence, South seven and one-half  
degrees East twenty-seven and  
three-tenths feet to a point the  
South side of Messinger Street via-  
duct; thence, along the same South

eighty degrees nine minutes West seventy-one feet, more or less, to the place of beginning.

PARCEL IDENTIFICATION NO: E9-24-1.

Premises: 501 South First Street, Bangor, PA 18013, Bangor Borough, Northampton County, Pennsylvania.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Maureen Ruth, single, by Deed from Trudy A. Eger, single, dated 8-31-05, recorded 9-19-05, in Deed Book 2005-1, page 361621.

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

SEIZED AND TAKEN into execution of the writ as the property of Maureen P. Ruth.

DANIEL G. SCHMIEG, ESQUIRE

**No. 6**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-001925**

ALL THAT CERTAIN lot or piece of ground, Hereditaments and Appurtenances, situate in the 15th 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 on the Southwesterly side or line of Hamilton Avenue, said point being located Southeastwardly, 130 feet from the intersection of the Southeasterly side or line of Oakland Street with the Southwesterly side or line of Hamilton Avenue; thence Southeastwardly, in and along the Southwesterly side or line of said Hamilton Avenue, 50 feet to a point; thence Southwestwardly by the same width of 50 feet, between par-

allel lines at right angles to said Hamilton Avenue, 120 feet to the Northeasterly side or line of an unnamed 15 feet wide alley.

BOUNDED on the Northeast by Hamilton Avenue, on the Southeast by Lot No. 281, on the Southwest by an unnamed 15 feet wide alley and on the Northwest by Lot NO. 284.

BEING Lots Nos. 282 and 283 according to a Plan of Edgeboro, as laid out by Foering and Heller, surveyed and plotted by R.E. Neumeyer, Civil Engineer, revised January, 1918 and recorded in the Office for the Recording of Deeds, in and for Northampton County, Pennsylvania in Map Book 8, Page 12.

Tax Parcel ID #N6SE2C-23-1.

TITLE TO SAID PREMISES IS VESTED IN Daniel A. Messinger, married by Deed from Arlindo Isidoro and Michele Isidoro, husband and wife, dated 7/26/2002 and recorded 7/29/2002 in Record Book Volume 2002-1, Page 196475.

BEING KNOWN AS 746 Hamilton Avenue, Bethlehem, Pennsylvania. THEREON BEING ERECTED a cape style brick dwelling with shingle roof.

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

MARTHA E. VON ROSENSTIEL,  
ESQUIRE

**No. 7**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2002-002542**

ALL THAT CERTAIN lot of ground, situated in the Borough of Bangor, marked and numbered on the Plan of Scholl and Stroub, No. 3, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows, viz:



BEGINNING at a stone in the public road and corner of Lot No. 2; thence down said public road North 71 degrees and a half East, thirty-three feet to a corner of Lot No. 4; thence by Lot No. 4 South 18 degrees and a half East, one hundred and forty feet to a corner; thence by the North side of a fifteen feet public alley, South 71 degrees and a half West, thirty-three feet to a stone; thence by Lot No. 2 North 18 degrees and a half West, one hundred and forty feet to the place of beginning.

CONTAINING 15 perches of land, more or less and being designated as Lot No. 138.

Tax Parcel #E9NE2A-3-4.

TITLE TO SAID PREMISES IS VESTED IN Christopher T. Dougherty by Deed from Timothy J. Beams, dated 4/25/2000 and recorded 4/27/2000 in Record Book Volume 2000-1, Page 48606.

BEING KNOWN AS 138 Pennsylvania Avenue, Bangor, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Christopher T. Dougherty.

DANIEL G. SCHMIEG, ESQUIRE

**No. 9**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-007815**

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

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

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

BEING KNOWN AS 1037 Ferry Street, Easton, Pennsylvania.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NO.: MAP: L9SE1A BLOCK: 28 LOT: 6.

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

RECORD OWNER

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

PRIOR DEED INFORMATION

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

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

SEIZED AND TAKEN into execution of the writ as the property of Federico Terrazas and Catalina Gonzalez.

DANIEL G. SCHMIEG, ESQUIRE

**No. 10**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-003801**

ALL that pertain piece or parcel of land situate in the Borough of East Bangor, Northampton County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the South side of Dewey Avenue which is North eighty-eight (88°) degrees and thirty (30') minutes East, forty-nine and twenty-five one-hundredths (49.25) feet, from the southeast corner of said Dewey Avenue (formerly known as Cleveland Street and as State Street) and Shaffer Alley; thence along the said South side of Dewey Avenue, North eighty-eight (88°) degrees and thirty (30') minutes East, thirty and seventy-five one-hundredths (30.75) feet to a point; thence along the western side of Lot No. 131, South one (01°) degree and thirty (30') minutes East, one hundred seventy-eight and thirteen one-hundredths (176.13) feet to a point in the North line of Harrison Street; thence along the said North line of Harrison Street, South seventy (70°) degrees West, thirty-two and forty-four one-hundredths (32.44) feet to a point; thence along the western part of Lot No. 133 about to be conveyed, North one (01°) degree and thirty (30') minutes West, one hundred eighty-eight and thirty-nine one-hundredths (188.39) feet to the place of BEGINNING.

BEING the eastern part of Lot No. 133 as shown on Map of lots made for Sean, Bray and Tremain, dated 1891, as recorded in Office for the Recording of Deeds in and for Northampton County at Easton,

Pennsylvania, in Map Book Volume 12, Page 3.

IT IS AGREED between the parties hereto that the portion of land lying and being between and dwelling on the adjoining premises to the West thereof shall remain open each of the said parties, their heirs, executors, administrators and assigns, with the privilege of ingress, egress and regress for themselves, their heirs and assigns, servants, occupiers and tenants of the said premises, for the purpose only of repairs and use of cellar or doors to and on the sides of the dwelling facing each other East and West and only so much of the land of each party shall be used as is necessary aforesaid purpose, so long as the aforesaid dwelling shall exist in their present position, and there shall be no encroachment by either party upon the respective premises of the other party, either by construction of any fence, building or other erection.

HAVING a dwelling erected thereon known as 39 Dewey Street, East Bangor, PA.

Parcel Identification Number D10SW1C-12-2.

BEING the same premises which Nature's Alternative, LLC, by Deed dated August 14, 2001 and recorded August 15, 2001 in Northampton, in Deed Book Volume 2001-1 at Page 163903, granted and conveyed unto Diane M. Sadler, married individual.

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

SEIZED AND TAKEN into execution of the writ as the property of Keith Vrontisis and Alyson Vrontisis.

MARK J. UDREN, ESQUIRE

**No. 11  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-001882**

ALL THAT CERTAIN message or tenement and parcel or piece of land situate in the Borough of Northampton, Northampton County, Pennsylvania, known and designated as Lot No. 29 on the Final Major Subdivision Plan entitle Wynne-woode Estates Phase II of Horwith Leasing Co. Inc., trading as Northampton Development Center, a Pennsylvania Corporation, dated February 14, 1986 and recorded on September 10, 1986 in the Office of the Recorder of Deeds of Northampton County, at Easton, Pennsylvania, in Map Book Vol. 86 at page 285, with the subject description prepared on July 16, 1986 by Larry S. Turosey, P.E. No. 16705-E and R.S. No. 14112-E, bounded and described as follows, to wit:

BEGINNING at an iron pin located along the Northerly legal right-of-way of Atlas Lane (25.00 feet from the centerline), said pin being also located along the common boundary line of Lot No. 30 and the lands herein described; thence South 49 degrees 03 minutes 30 seconds West 100.00 feet along the Northerly legal right-of-way line of Atlas Lane to an iron pin; thence North 40 degrees 56 minutes 30 seconds West 120.00 feet along Lot No. 28 to an iron pin; thence North 49 degrees 03 minutes 30 seconds East 100.00 feet along other lands now or formerly of Horwith Leasing Co., Inc. to an iron pin; thence South 40 degrees 56 minutes 30 seconds East 120.00 feet along Lot No. 30 to the place of beginning. Containing 12,000.00 square feet of land.

Being known as 1308 Atlas Lane, Northampton, PA 18067.

Tax Parcel Number L4-17-25-0522.

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

SEIZED AND TAKEN into execution of the writ as the property of Brian Farley and Diane B. Farley.

PINA S. WERTZBERGER,  
ESQUIRE

**No. 12  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-004595**

ALL THAT CERTAIN lot, parcel, piece of ground, with the improvement thereon erected known and numbered as 1447 Lehigh Street, situate in the city of Easton, Northampton County, Pennsylvania, bounded and described as follows, to wit:

SAID lot containing in front on the North side of Lehigh Street, Fourteen and One half (14 1/2) feet, more or less, and extending of that width in depth northwardly Ninety-eight (98) feet to a ten (10) feet wide private alley.

BOUNDED on the North by said private alley; on the South by Lehigh Street; on the East by property now or late of Violet H. Ralph; and on the West by property now or late of Max G. Chanock, Louis M. Ralph and Herman Ralph.

BEING THE SAME PREMISES which Harjinder S. Serah and Surinder J. Serah, his wife, by Deed dated 11/29/01 and recorded 12/4/01 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book 2001-1 at Page 259591, granted and conveyed unto

Francois F. Berluche and Nicole L. Berluche.

TAX PARCEL #: L9SWZC-1 6-15.

THEREON BEING ERECTED a three story row dwelling with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Francois F. Berluche and Nicole Berluche.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 13**

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

**CV-2005-003994**

ALL THAT CERTAIN lot, message, tenement, tract and piece of land situate in the Borough of Wind Gap, County of Northampton and State of Pennsylvania bounded and described according to a survey prepared in August 1972 by Gordon E. Wilson, Registered Land Surveyor, as follows, to wit:

BEGINNING at a point at the intersection point of the west curb line of Broadway and the south curb line of proposed Sixth (6th) Street; THENCE along the south curb line of proposed Sixth (6th) Street North 70 degrees 45 minutes West 278.85 feet to an iron pin on the east curb line of Water Street (extended); THENCE along the east curb line of Water Street extended South 21 degrees 15 minutes West 88.48 feet to an iron pin; THENCE along land now of Henry A. Segatti South 76 degrees 50 minutes East 280.19 feet to a point on the west curb line of Broadway; THENCE along the west curb line of Broadway North 22 degree 29 minutes East 58.80 feet to the place of beginning.

PARCEL NO. (A) F8NW1A-3-1.  
PARCEL NO. (B) F8NW1A-3-11.

BEING KNOWN AS 302 South Broadway, Wind Gap, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Eric J. Koke and Rose M. Koke.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 15**

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

**CV-2006-007551**

ALL THAT CERTAIN lot or piece of land with the dwelling No. 705 Wood Street thereon erected, situate, lying and being in the City of Bethlehem, County of Northampton and State of Pennsylvania, more particularly described as follows to wit:

BEGINNING at a point in the westerly line of Wood Street at a distance of forty-nine and forty-seven one-hundredths (49.47) feet North from the northerly line of East North Street, said point being the extension of a line through the middle of East North Street, 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 said westerly line of Wood Street a distance of twenty-two (22) feet to a point, 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 North and of that same width of twenty-two (22) feet extending westwardly between parallel lines at right angles to said Wood Street, said lines passing in

part through the middle of the party or partition walls aforesaid a distance of one hundred (100) feet to the easterly line of a certain unnamed twelve (12) feet wide alley.

BOUNDED on the North by land now or late of George W. Lynn, on the East by Wood Street, on the South by land now or late of Johan Doncses and wife, and on the West by the unnamed twelve (12) feet wide alley aforementioned.

ALSO KNOWN AS NORTHAMPTON COUNTY TAX IDENTIFICATION NO: P6NE2A-25-15.

TITLE TO SAID PREMISES IS VESTED IN Byron T. Richards and Sarah L. Richards, husband and wife, by Deed from James R. Lasko and Carol L. Lasko, husband and wife, dated 05/31/2002, recorded 06/05/2002, in Deed Book 2002—1, page 145157.

Premises being: 705 WOOD STREET, BETHLEHEM, PA 18018.

Tax Parcel No. P6NE2A-25-15.

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

SEIZED AND TAKEN into execution of the writ as the property of Byron T. Richards a/k/a Bryon Thomas Richards and Sarah L. Richards a/k/a Sarah Vanhorn.

DANIEL G. SCHMIEG, ESQUIRE

**No. 17**

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2005-003082**

ALL THAT CERTAIN message or tenement and lot, parcel or piece of land situate on the South Side of Mauch Chunk Street of the West End Building Lots (Schmickley Tract) in the Borough of Nazareth, County of Northampton, and Commonwealth of Pennsylvania, desig-

nated and numbered as Lot 12 on the said Plan or Draft of said lots and recorded in the Recorder's Office at Easton, Pennsylvania, in Map Book 2, Page 79 containing in front and extending of that same width Southwardly 140 feet more or less to Poplar Alley. Bounded on the North by Mauch Chunk Street, on the East by lands late of Howard D. Siegfried, nor Carrie Alpaugh, on the South by Poplar Alley and on the West by lands late of Elmer Brinker, now Mrs. William Kline.

UNDER AND SUBJECT to all conditions, covenants and restrictions as of record.

Being Parcel No. J7SE4B-9-12.

Being known as 307 Mauch Chunk Street, Nazareth, PA 18064.

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

SEIZED AND TAKEN into execution of the writ as the property of James B. Mullan.

ROBERT SALTZMAN, ESQUIRE

**No. 19**

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2006-006549**

ALL THAT CERTAIN property in the Township of Upper Mount Bethel, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the north side of State Highway Route #48073 which is 500 feet east from the corner of the highway and a certain right-of-way formerly of Harry Carlson, now Forrell & Thomas, Inc; thence along line of land of Grantors North 23 degrees 17 minutes West 536.61 feet to a point in line of land formerly of Harry Carlson, now Forrell & Thomas, Inc.;

thence along line of land formerly of Harry Carlson, now Forrell & Thomas, Inc., North 42 degrees 11 minutes East, 180.1 feet to a point; thence extending in a southeasterly direction along line of land about to be conveyed to Phillip Kizun, et ux, South 31 degrees 33 minutes East 558.46 feet to a point in the north side of the said State Highway in a southwesterly direction the following two courses and distances: (1) South 50 degrees 30 minutes West 50 feet; (2) South 53 degrees 55 minutes West 200 feet to the place of BEGINNING. CONTAINING 2.60 ACRES.

GIVING AND GRANTING unto the Grantees, their heirs and assigns, the free and common right, jointly with the Grantors, their heirs and assigns, and other holders of tracts or parcels of land from the Grantors in this development of access, ingress and regress to the Delaware River over a 150 feet right-of-way to the said River located by Grantors at a point to the northeast of premises granted and leaving from Township Road 710.

BEING the same premises which Dora M. Winans, formerly Dora M. Mitchell and Richard E. Winans, her husband, by their deed dated September 10, 1982 and recorded in the office for the Recording of Deeds in and for the County of Northampton, at Easton, Pennsylvania, in Deed Book Volume 708, page 882, granted and conveyed unto Michael D. Kizun and Claire Kizun, formerly husband and wife, now both unmarried, Grantors hereof, in fee.

PARCEL IDENTIFICATION NO: E12-5-9B-2.

Premises: 1640 River Road, Mount Bethel, PA 18343 Northampton County Pennsylvania.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Frank A. Meliti and Kathleen Meliti, husband and wife, by Deed from Michael D. Kizun, unmarried and Claire Kizun, unmarried, dated 05/02/2000, recorded 06/27/2000, in Deed Book 2000-1, page 79221.

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

SEIZED AND TAKEN into execution of the writ as the property of Kathleen D. Meliti a/k/a Donna Kathleen Meliti a/k/a Kathleen Royal and Frank A. Meliti.

DANIEL G. SCHMIEG, ESQUIRE

**No. 22**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-002907**

ALL THAT CERTAIN message or tenement said tract of land, situate in the Borough of Hellertown, formerly Township of Lower Saucon, County of Northampton, State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the eastern line of Main Street, said point being 160.08 feet north of the northeast corner of Wagner Avenue and Main Street; THENCE by line passing in and through the middle of the partition wall dividing properties known as Nos. 1587 and 1589 Main Street, South 88 degrees East 130.05 feet to a point in the western line of a 20 foot wide alley; THENCE along the same North 3 degrees 32 minutes East 16.43 feet to a point; THENCE North 86 degrees 28 (erroneously stated as 26 in Deed Book Volume 19981, Pages 36841) minutes West, 130 feet to a point in the eastern line of Main

Street; THENCE along the same South 3 degrees 32 minutes West 19.91 feet in the place of beginning.

ALSO KNOWN AS PARCEL NUMBER Q7NW2D/8/10.

BEING KNOWN AS: 1589 Main Street Hellertown, PA 18055.

PROPERTY ID NO.: Q7NW2D-8-10.

TITLE TO SAID PREMISES IS VESTED IN William J. Sahr, as sole owner by Deed from Washington Mutual Bank by Countrywide Home Loans Inc. as Attorney-in-Fact as recorded 4/16/02 in Volume 2002-1 and Page 97678 dated 4/9/02 recorded 4/16/02 in Deed Book 2002-1 Page 97680.

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 William J. Sahr.

MARK J. UDREN, ESQUIRE

**No. 23**

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2006-6616**

ALL THAT CERTAIN lot or piece of land known as 804 Reynolds Street, situate 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 east side of Reynolds Street at a distance of thirty-five (35) feet south from the southeast corner of Reynolds and Grant Streets, in the said City of Easton, THENCE south along said Reynolds Street, a distance of seven-teen and one-half (17 1/2) feet to land of Arthur Lux, and THENCE extending of that same width, eastwardly in a line of right

angles with Reynolds Street, through the middle partition line of the house erected upon this and the adjoining premises to the south, a distance of one hundred and twenty (120) feet to a fifteen (15) feet private alley; THENCE northwardly along the said private alley, seventeen and one-half (17 1/2) feet to a point, THENCE westwardly along land of John McGinley, one hundred and twenty (120) feet to the place of beginning.

BOUNDED on the north by property of John McGinley, on the east by said private alley, on the south by property of Arthur Lux, and on the west by Reynolds Street.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: MAP M9NE1B BLOCK 24 LOT 16.

BEING KNOWN AS: 804 Reynolds Street Easton, PA 18042.

PROPERTY ID NO.: M9NE1B-24-16.

TITLE TO SAID PREMISES IS VESTED IN Joy M. Roberts by Deed from Raymond R. Roberts, single dated 5/10/93 recorded 7/14/93 in Deed Book 902 Page 405.

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 Joy M. Roberts.

MARK J. UDREN, ESQUIRE

**No. 24**

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2004-004332**

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

BEGINNING at a corner in Miller Street, 35' Westward from the corner of Snyder Street and at the corner of Lot No. 230; thence along the division line of Lot No. 230 North 5 1/2 degrees West 120 feet to a 10 foot wide alley; thence along said alley South 84 1/2 degrees West 35 feet to the corner of Lot No. 232; thence along the division line of Lot No. 232 South 5 1/2 degrees East 120 feet to the said Miller Street; thence along said Miller Street North 84 1/2 degrees East 35 feet to the place of beginning.

CONTAINING 35 in front on said Miller Street and extending of the same width Northward along Lot No. 230, 120 feet to a 10 foot wide alley. Marked and designated Lot No. 231 on the Map or Plan of Lots of Miller, Merrill & Company.

TITLE TO SAID PREMISES IS VESTED IN Gary Lobb, married, by Deed from Joseph B. Werner and Carol D. Werner, his wife, dated 8/29/1997 and recorded 9/8/1997 in Volume 1997-1, Page 97278.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: E9NE3B-6-4.

BEING KNOWN AS 131 Miller Street, Bangor, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Gary E. Lobb.

DANIEL G. SCHMIEG, ESQUIRE

**No. 25**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-005216**

ALL THAT CERTAIN Lot No. 2, as shown on the Minor Subdivision of Irene M. Manogue, as recorded

in Map Book 84, Page 249, in the Recorder of Deeds Office in and for the County of Northampton, together with a one story frame dwelling constructed thereon, located along the southerly side of Mountain View Drive, Traffic Route #946, leading from Danielsville to Rockville, in the Township of Lehigh, County of Northampton and Commonwealth of Pennsylvania, being more fully bounded and described as follows, to wit:

BEGINNING at a concrete monument along the southerly side of Mountain View Road, Traffic Route #946; said monument also being in line of property of Peter Pagotta and Elizabeth Pagotta, his wife, in Deed Book Vol. 107, Page 262; and located along the southerly extended right-of-way line having been dedicated to Lehigh Township; thence extending along property of Peter Pagotta and Elizabeth Pagotta, his wife, South twenty-two (22) degrees fifteen (15) minutes no (00) seconds West two hundred thirty-three and fifty-one hundredths (233.51) feet to an iron pin; thence extending along Lot No. 1, residue property of Irene M. Manogue, the following two (2) courses and distances: North fifty-two (52) degrees thirteen (13) minutes fifty-eight (58) seconds West two hundred twenty-four and ninety-seven hundredths (224.97) feet to an iron pin, (2) North thirty-seven (37) degrees forty-six (46) minutes two (02) seconds East two hundred twenty-five (225.00) feet to an iron pin on the southerly extended right-of-way line of Mountain View Drive; thence extending along the southerly right-of-way line of Mountain View Drive, South fifty-two (52) degrees thirteen (13) minutes fifty-eight (58) seconds East one hun-



dred sixty-two and fifty hundredths (162.50) feet to the place of beginning.

CONTAINING 1.001 Acres of land.

BEING THE SAME PREMISES which Dennis D. Michael and Lisa Grabarits, now Lisa Michael, by reason of marriage, husband and wife, by Deed dated November 15, 1991 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on November 26, 1991 in Deed Book Volume 848, Page 162, granted and conveyed unto Dennis D. Michael and Lisa Michael, husband and wife, in fee.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: TAX MAP: H3 BLOCK: 22 LOT: 1A.

**RECORD OWNER**

TITLE TO SAID PREMISES IS VESTED IN Craig S. Neetz & Donna M. Neetz, husband and wife by Deed from Dennis D. Michael & Lisa Michael, husband and wife, dated 9/5/1995, recorded 9/13/1995, in Book: 1995-1, Page 85447.

**PRIOR DEED INFORMATION**

TITLE TO SAID PREMISES IS VESTED IN Dennis D. Michael & Lisa Michael, husband and wife, by Deed from Dennis D. Michael & Lisa G. Grabarits, now Lisa Michael, by reason of marriage, husband and wife, dated 11/15/1991, recorded 11/26/1991, in Book: 848, Page: 162.

Premises being: 3645 MOUNTAIN VIEW DRIVE, DANIELSVILLE, PA 18038.

Tax Parcel No. H3-22-1A.

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

SEIZED AND TAKEN into execution of the writ as the property of Craig S. Neetz and Donna M. Neetz.  
DANIEL G. SCHMIEG, ESQUIRE

**No. 26**

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

**CV-2005-001364**

SITUATE in the Borough of Walnutport, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the north side of a public road, leading from Walnutport to Cherryville, and in lien or property of late Owen Williams estates, thence by the same North twenty-two degrees and one-quarter West, one hundred and forty (140) feet and two inches, to an alley, thence by said alley, South seventy-five degrees West, twenty-four (24) feet to a point, thence by land of Calvin G. Snyder, South fifteen degrees East, one hundred and fifty-eight feet and six inches to the aforesaid public road, thence by said public road, North forty-nine degrees and one-half East, forty-eight (48) feet and six inches to the place of beginning.

BEING THE SAME premises which Jeanie R. Green, widow, by deed dated 8/17/01 and recorded 8/27/01 in the Office of the Recorder of Deeds in and for Northampton County, in Deed Book 2001-1 at Page 172555, granted and conveyed unto Jeanie R. Green, widow.

BEING Parcel No. J2NW4C-3-20.

BEING KNOWN AS 241 Main Street, Walnutport, 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 Jeanie R. Green.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 27**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-005710**

ALL THAT CERTAIN messuage, tenement and lot or piece of land situated on the South side of the public road running Northwest from the Bushkill Bridge at the North end of Third (late Pomfret) Street and known as College Avenue, in said City of Easton, County of Northampton and State of Pennsylvania, and bounded and described as follows:

BOUNDED on the North by the said public road; on the East by a lot of land late the property of Henry Keller, now deceased; and on the South by land belonging to Harold Hallman and Helen Hallman, his wife, and on the West by land belonging to Harry Schleicher and Naomi Schleicher his wife. Containing in front on said public road by a line commencing at a stone and running Northeast sixty-six and one-half (66 1/2) degrees thirty-two (32) feet to a stone; thence Southeast one-half (1/2) degree seventy-four (74) feet to a post; thence Southwest eighty-nine and one-half (89 1/2) degrees thirty (30) feet to a post; thence Northwest one-half (1/2) degree sixty (60) feet to the place of beginning.

IT BEING THE SAME PREMISES which Dennis R. Kelly a/k/a Dennis R. Kelly, Jr. and Sheila J. Kelly, husband and wife, by their Deed dated the 11th day of September 1998, and recorded in the Office for the Recording of Deeds in and for the County of Northampton at

Easton, Pennsylvania, in Deed Book Volume 1998-1, Page 125001, did grant and convey unto Dennis R. Kelly a/k/a Dennis R. Kelly, Jr. and Sheila J. Kelly, husband and wife.

PARCEL NO. L9NE3B-8-26.  
BEING KNOWN AS 160 College Avenue, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Dennis R. Kelley a/k/a Dennis R. Kelly, Jr. and Sheila J. Kelly.

LAUREN R. TABAS, ESQUIRE

**No. 28**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-000329**

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

Beginning at a concrete monument set along the southerly right-of-way line of Aluta Mill Road (Township Road #597), said point being the northwestern property corner in lands of Lot Number 5 of the Hillside Farm Acres Subdivision; thence along the westerly property line of said lot number 5 and along the westerly line of lot number 2 of the Hillside Farm Acres Subdivision, South 15 degrees 57 minutes 00

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

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

Containing 49,084 square feet of 1.0579 acres.

PARCEL NO. H7-16-2.

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

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

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

TERRENCE J. McCABE,  
ESQUIRE

**No. 29**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-007001**

ALL THAT CERTAIN message, tenement and lot or piece of ground situate on the Southerly side of

Ferry Street, known as 1132 Ferry Street, in the City of Easton, County of Northampton, Commonwealth of Pennsylvania, as described and shown on a survey plan prepared by Kenneth R. Hahn R.S. drawing No. 80-50, dated February 13, 1980; bounded and described as follows:

BEGINNING at a point on the Southerly right of way line of Ferry Street, (60 feet wide), said point being located 19.00 feet Westerly of the West side of Elder Street;

THENCE along the Westerly property line of 1130 Ferry Street, South 00 degrees 13 minutes 00 seconds East, 131.92 feet to a point;

THENCE along the line extending South 90 degrees 00 minutes West, 21.00 feet to a point on the East side of Gerspachs Court;

THENCE along the East side of said Court, North 1 degree 57 minutes 10 seconds West, 132.00 feet to a point on the Southerly right of way line of Ferry Street;

THENCE along the Southerly right of way line of Ferry Street, North 90 degrees 00 minutes East, 25.00 feet to the place of BEGINNING.

Parcel ID: L9SE1D-6-5-0310.

Being known as; 1132 Ferry Street, Easton, PA 18042.

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

SEIZED AND TAKEN into execution of the writ as the property of Carol A. Noe.

MARGARET GAIRO, ESQUIRE

**No. 30**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-009254**

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

situate on Sioux Street, in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, known and designated as No. 506 Sioux Street, bounded and described as follows, to wit:

BEGINNING at a point on the southerly side of Sioux Street distant 83 1/3 feet westwardly from the intersection of the southerly side of Sioux Street with the westerly side of Wyandotte Street; THENCE in a westwardly direction along the southerly side of Sioux Street 14 feet, more or less, to a point; THENCE of that width extending in a southwardly direction at right angles to said Sioux Street a distance of 60 feet, more or less.

BOUNDED on the north by Sioux Street, on the east by property now or late of Minnie Selbert, on the south by land now or late of James Williams, and on the west by property now or late of Solomon Phillips.

BEING the same property conveyed to Joseph Shimoskie by Deed from Stephen W. Piotrowski, Jr., and John F. Sentiwany recorded 09/25/1997 in Deed Book 1997-1 page 104399, in the Office of the Recorder of Deeds of Northampton County, Pennsylvania.

TAX ID# P6SW3B-15-2.

RECORD OWNER

TITLE TO SAID REMISES IS VESTED IN Joseph Shimoskie by Deed from Stephen W. Piotrowski, Jr., and John F. Sentiwany, dated 9/5/1997 and recorded 9/25/1997, in Record Book Volume 1997-1, Page 104399.

Premises being: 506 SIOUX STREET, BETHLEHEM, PA 18015.

Tax Parcel No. P6SW3B-15-2.

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

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

DANIEL G. SCHMIEG, ESQUIRE

**No. 32**

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

**CV-2006-006997**

ALL THAT CERTAIN house and lot known as 614 Wilkes-Barre Street situate on the South side of Wilkes-Barre Street, in the Eleventh Ward of 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 side of Wilkes-Barre Street, in line of land of Deemer which point is distant approximately eighty-five feet west from the southeast corner of the intersection of West Wilkes-Barre Street and Reynolds Street, thence extending southwardly along said Deemer's land one hundred and forty (140) feet, more or less to Hoyt Street, thence westwardly Forty-three (43) feet to property of Robert L. Graffin, thence northwardly along said Graffin's land one hundred forty (140) feet to Wilkes-Barre Street, thence eastwardly along said Wilkes-Barre Street forty-three (43) feet to place of BEGINNING.

IT BEING THE SAME PREMISES which Marjorie E. Roberts, by Deed dated May 21, 1996, and recorded in the Office of the Recorder of Deeds, in and for Northampton County, Pennsylvania, in Record Book Volume 1996-1, page 050792, granted and conveyed unto Tanya M. Thompson, her heirs assigns, Grantor herein.

PARCEL IDENTIFICATION NO: L9SE4C-20-5.

Premises: 614 West Wilkes-Barre, Easton, PA 18042, Easton City, Northampton County Pennsylvania.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Kwaysi Rougier, single, by Deed from Tanya M. Thompson, married, dated 04/13/2005, recorded 04/13/2005, in Deed Book 2005-1, page 133980.

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

SEIZED AND TAKEN into execution of the writ as the property of Kwaysi B. Rougier.

DANIEL G. SCHMIEG, ESQUIRE

No. 33

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2006-007750

All those certain lots or pieces of land, being Lots Nos. 112, 113, and the Easterly one-half of 114 on Plan of Atwater Properties, Spring Gardens Section, situate in the Borough of Wilson, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows:

Containing in front on the South side of Bushkill Street 50 feet and extending of that width in depth southwardly 141.8 feet, more or less, to Sasafra Street.

Bounded on the North by Bushkill Street; on the East by Lot No. 111; on the South by Sasafra Street; and on the West by the Westerly one-half of Lot No. 114.

Property Parcel Number L9SW2B-1-1A.

BEING KNOWN AS 1532 Bushkill Street, Easton, Pennsylvania.

THEREON BEING ERECTED a ranch style brick dwelling with

shingle roof; detached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Lena M. Hicklin and Troy Pittman.

JOSEPH A. GOLDBECK, JR., ESQUIRE

No. 35

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2000-001610

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

BEGINNING at a corner on the West side of "B" Street and corner of land about to be conveyed to Luther Sandercock and wife; thence along the said "B" Street North 15 degrees West 22 feet, more or less, to corner on the South side of a 30 feet wide street or alley; thence along said street or alley South 75 degrees West 113 1/2 feet to a corner; thence along land now or late of Henry Male South 15 degrees East 22 feet, more or less, to a corner and land about to be conveyed to Luther Sandercock and wife; thence along the same North 75 degrees East 113 1/2 feet to the place of Beginning.

ALSO BEING KNOWN AS NORTHAMPTON COUNTY PARCEL IDENTIFIER NO. E8NE2D-42-1.

BEING THE SAME PREMISES conveyed by Emmajane P. Hagenbuch to Wesley Pfeiffer by Deed dated 1/29/1999, and recorded on 2/9/1999, in the Northampton County Recorder of Deeds Office at Deed Book Volume 1999-1, Page 18093.

BEING KNOWN AS 213 "B" Street, Pen Argyl, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Wesley Pfeiffer.

THOMAS I. PULEO, ESQUIRE

**No. 36**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-007728**

ALL THAT CERTAIN, message, tenement and lot or triangular parcel of ground situate along the West side of Marvice Street between Peters Street and Croft Street in the fifteenth ward of the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, being also Lot 12-12A, Block 2300 according to the map or plan entitled "Plan Showing Lot Division of Block 2300—Section 1 of the Zinzendorf Realty Corporation of the City of Bethlehem, Pennsylvania—Northampton County Scale 1"—40"—James H. Healey, Jr. Engineer, June 29, 1928", Bounded and described as follows to wit:

BEGINNING at an iron pin on the Westerly Street Line of Marvine Street distant 21.19 feet South of the intersection of the Southerly street line of Peters Street extended Northwardly with the Westerly Street Line of Marvine Street extended Northwardly; thence extended Southwardly along the Westerly side of Marvine Street a distance of 73.05 feet to an iron pipe; thence along the dividing line between lots 13-13A and 12-12A on said Plan in a Westerly direction at a right angle to Marvine Street a distance of 114.36 feet to an iron pipe on the Easterly Side of Peters Street;

thence Northwardly along the Easterly side of Peters Street a distance of 127.03 feet to an iron pipe; thence along a curve to the right having a radius of 10 feet, a distance of 22.60 feet to an iron pipe on the Westerly street line of Marvine Street the point and place of beginning.

BEING PARCEL NO. N7SW1D-16-1.

Also known as 1441 Marvine Street, Bethlehem, PA 18017.

BEING THE SAME PREMISES which Jose A. Cruz did by deed dated May 26, 2005 and recorded in Record Book Volume 2005-1 Page 215749 in the Office of the Recorder of Deeds in and for Northampton County did grant and convey unto Yuderka N. Rodriguez in fee.

THEREON BEING ERECTED a one story commercial structure.

SEIZED AND TAKEN into execution of the writ as the property of Yuderka N. Rodriguez.

GLENN T. ROTH, JR., ESQUIRE

**No. 39**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2002-000038**

ALL THAT CERTAIN two story, brick row-type one-family dwelling situate in the Borough of Wilson, County of Northampton, and Commonwealth of Pennsylvania, described according to a survey and plan thereof made for Howland Homes Co. by John F. Cibula, Registered Professional Engineer and Surveyor, of Easton, Pennsylvania, on the 22nd day of October A.D. 1952, and revised January 24, 1953, as follows, to wit:

BEGINNING at a point on the Southerly Side of Spring Garden Street (sixty feet wide) at the distance of three hundred forty-six feet

and sixty-nine one-hundredths of a foot Westwardly from the westerly side of North Fifteenth Street (sixty feet wide).

CONTAINING in front or breadth on said Spring Garden Street eighteen feet and extending of that width in length or depth South six degrees thirty minutes West between parallel lines at right angles to said Spring Garden Street, the Easterly and Westerly lines thereof passing partly through the party wall of the building erected on this lot and the building erected on the lot adjoining to the East and West thereof, and crossing a certain three-feet-wide walk which extends Eastwardly into North Fifteenth Street and Westwardly into North Sixteenth Street (fifty feet wide), one hundred fifty feet.

BEING Lot No. 44 on said Plan. House No. 1534.

BEING KNOWN AS 1534 Spring Garden Street, Easton, Pennsylvania.

PARCEL: L9SW2B-6-3.

BEING THE SAME PREMISES WHICH Scott F. Harting and Trudy M. Harting by deed dated 10/28/88 and recorded 11/4/88 in Deed Book 758 Page 648, granted and conveyed unto Larry E. Smith and Tammy L. Smith.

SEIZED AND TAKEN into execution of the writ as the property of Larry E. Smith and Tammy L. Smith.

LEON P. HALLER, ESQUIRE

**No. 40  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-003133**

ALL THAT CERTAIN brick messuage and tenement and lot or piece of land situate in the City of Bethlehem, County of Northampton and State of Pennsylvania, and

known as 928 Mechanic Street, being bounded and described as follows, to wit:

BEGINNING at a point in the southern line of Mechanic Street, distant on hundred ten and fifty-three hundredths (110.53) feet west from the southwest corner of Cemetery and Mechanic Streets; thence extending southwardly along lands, late of Commercial Real Estate Company, Limited, a distance of sixty-seven and twenty-five hundredths (67.25) feet to a concrete retaining wall; thence westwardly along said wall a distance of thirteen and twenty-four hundredths (13.24) feet to a point; thence northwardly along other lands formerly of Commercial Real Estate Company, Limited, a distance of sixty-seven and thirteen hundredths (67.13) feet to a point in Mechanic Street; thence along the southern line of Mechanic Street eastwardly a distance of thirteen and twenty-four hundredths (13.24) feet to a point; the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Donnell L. Snyder, by Deed from Theresa M. Snyder, dated 9-5-97, recorded 11-4-97, in Deed Book 1997-1, page 122253.

Premises being: 928 MECHANIC STREET, BETHLEHEM, PA 18015.

Tax Parcel No. P6SE2A-17-8.

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

SEIZED AND TAKEN into execution of the writ as the property of Donnell L. Snyder.

DANIEL G. SCHMIEG, ESQUIRE

**No. 41  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-008303**

TRACT NO. 1: Consisting of Lots #67 and #68 on the aforesaid plan,

all that certain message and lot or piece of land designated as Lot No. 67 and Lot No. 68, bounded on the north by Aileene Street, on the east by Lot No. 69, on the south by Middletown Road and on the west by Lot No. 66. containing in front on Middletown Road 50 feet and extending in depth northwardly along Lot No. 69 a distance of 130 feet; THENCE eastwardly along Middletown Road fifty feet to the place of beginning.

TRACT NO. 2: All that certain message and tenement and lot or piece of ground situate in the Township of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, designated as Lots No. 69 and 70 on aforesaid plan.

BEGINNING at a point in the northern building line of Middletown Road distant 200 feet east of the intersection of the northern building line of Middletown Road and the eastern building line of Mosella Avenue; THENCE eastwardly in and along the northern building line of Middletown Road 50 feet to the western division line of Lot No. 71; THENCE northwardly of that width between parallel lines at right angles to Middletown Road aforesaid 130 feet to the southern building line of Aileen Street.

BOUNDED on the north by Aileen Street, on the south by Middletown having erected thereon a dwelling known and numbered as 3123 Middletown Road, Bethlehem Township, Northampton County, Pennsylvania according to the present system of township numbering.

Vesting Information:

Vested by: Deed dated 4/2/04, given by Dennis E. Graham to Richard E. Kruse and Kathleen M. Kruse

recorded 4/13/04 in Instrument #: 2004024296.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: N7NW3-9-5.

BEING KNOWN AS 3123 Middletown Road, Bethlehem, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Richard E. Kruse and Kathleen M. Kruse.

DANIEL G. SCHMIEG, ESQUIRE

**No. 42**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-007523**

ALL THAT CERTAIN lot, piece or parcel of land situate in the Township of Bethlehem, County of Northampton and State of Pennsylvania being known as Lot No. 5 of the Subdivision Plan entitled Final Plan of the Ebner Subdivision, as prepared by Progressive Designs, Inc. dated January 6, 1992, last revised March 6, 1995 and recorded in the Office of the Recorder of Deeds of Northampton County at Easton, Pennsylvania. In Plan Book Volume 1995-1, Page 71, more fully bounded and described as follows, to wit:

BEGINNING at a point on the right-of-way line of the cul-de-sac of Ebner Court at a corner of Lot 4 of the Ebner Subdivision; thence along said right-of-way line of the cul-de-sac of Ebner Court along the arc of a curve deflecting to the left having a radius of 50.00 feet and central angle of 105 degrees 30 minutes 54 seconds for an arc length of 92.08 feet (chord; North



45 degrees 16 minutes 45 seconds West 79.61 feet) to a point at a corner of Lot 6 of the Ebner Subdivision; thence along said lands of Lot 6 of the Ebner Subdivision North 09 degrees 02 minutes 12 seconds West 51.05 feet to a point on line of lands now or formerly of Peter J. and Joseph Emrick; thence along said lands now or formerly of Peter J. and Joseph Emrick North 80 degrees 57 minutes 48 seconds East 359.63 feet to a point at a corner of lands now or formerly of 4-L Associates; thence long said lands now of formerly of 4-L Associates South 33 degrees 21 minutes 15 seconds West 244.84 feet to a point at a corner of Lot 4 of the Ebner Subdivision the following two courses and distances; 1. North 56 degrees 38 minutes 45 seconds West 54.92 feet to a point; thence 2. North 83 degrees 31 minutes 18 seconds West 109.82 feet to a point, the place of beginning.

Transfer is between husband and wife to husband and exempt from transfer taxes.

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

FOR INFORMATIONAL PURPOSES ONLY The property address being known as 5130 Ebner Court, Bethlehem, Pennsylvania 18020-8870.

Tax ID No. M7SE3-5-3.

BEING the same premises which Kyle R. Campbell, by Deed dated September 29, 2003, and recorded October 9, 2003, in Book 2003-1, Page 423096, granted and conveyed unto Kyle Campbell and Melissa Campbell, in fee.

PARCEL IDENTIFICATION NO: M7SE3-5-3.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Kyle Campbell, by Deed

from Kyle Campbell and Melissa Campbell, dated 04/27/2005, recorded 06/17/2005, in Deed Book 2005-1, page 227222.

PRIOR DEED INFORMATION

TITLE TO SAID PREMISES IS VESTED IN Kyle Campbell and Melissa Campbell, by Deed from Kyle R. Campbell, dated 09/29/2003, recorded 10/09/2003, in Deed Book 2003-1, page 423096.

Premises being: 5130 EBNER COURT, BETHLEHEM, PA 18020.

Tax Parcel No. M7SE3-5-3.

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

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

DANIEL G. SCHMIEG, ESQUIRE

**No. 43**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-003742**

ALL THAT CERTAIN message, tenement and lot or parcel of land situate in the Township of Forks, Northampton County, Pennsylvania, designated as Lot No. 45 on the Plan of Penn's Ridge, Phases 1, 2 and 3, as said plan is recorded in the Recorder of Deeds Office in and for Northampton County, Pennsylvania, in Plan Book Volume 1998-5, Pages 235-237, being more fully bounded and described as follows, to wit:

BEGINNING at a point on the eastern right-of-way line of Hickory Drive (50 feet wide) said point being the southeast corner of Lot 46 and the northwest corner of the herein described Lot 45; THENCE along the eastern boundary line of Lot 46, North forty-two degrees fifty-eight minutes fifty-two seconds East (N 42° 58' 25" E), a distance of two

hundred ten and ninety-four one-hundredths feet (210.94) to a point; THENCE along the southern boundary line of Lot 8, South eighty-seven degrees sixteen minutes forty seconds East (S 87° 16' 40" E), a distance of sixty and fifty-one one-hundredths feet (60.51') to a point; THENCE along the western boundary lines of Lots 10, 11, and 12, South five degrees thirty-six minutes twenty seconds West (S 5° 36' 20" W) a distance of one hundred eight and sixty one-hundredths feet (108.60') to a point; THENCE along the northern boundary line of Lot 44, South sixty-one degrees twenty-three minutes thirty-eight seconds West (S 61° 23' 38" W), a distance of one hundred eighty-one and ninety-one one hundredths feet (181.91') to a point; THENCE along the eastern right-of-way line of Hickory Drive (50 feet wide) along a curve to the right having a radius of one hundred seventy-three and zero one-hundredths feet (173.00'), a central angle of eighteen degrees twenty-four minutes forty-six seconds (18° 24' 46"), a length along the arc of fifty-five and sixty one-hundredths feet (55.60'), and a tangent distance of twenty-eight and four one-hundredths feet (28.04') to the place of beginning.

CONTAINING IN AREA 19,994.04 square feet or 0.459 acre.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: K9-32-45.

1) Vested by Special Warranty Deed, dated 1/28/2005, given by Joseph K. Jacobs, Jr. and Michele A. Jacobs, Husband and Wife to Robert Gaynor, Jr. and Charmaine Henderson, as Joint Tenants with right of survivorship and recorded 2/1/2005 in Book 2005-1 Page 41369 Instrument # 2005006878.

Real Property Owner: Robert Gaynor, Jr. and Charmaine Henderson.

BEING HOUSE NO. 2740 HICKORY DRIVE, EASTON, PA 18040.

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

SEIZED AND TAKEN into execution of the writ as the property of Robert Gaynor, Jr. and Charmaine A. Henderson.

DANIEL G. SCHMIEG, ESQUIRE

**No. 44**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-006239**

ALL THAT CERTAIN tract of woodland located on the West side of Township Route #390 and situate in the Township of Lower Saucon, County of Northampton and in the Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a spike in the center of macadam paved TR #390 said spike being a mutual corner for land now or formerly of Erwin Arnold and land of the Grantor; thence extending along land now or formerly of Erwin Arnold South 53 degrees 57 minutes West 496.97 feet to an iron pin in line of land of Lawrence Gubish, Jr.; thence extending along land of Gubish North 12 degrees 35 minutes West a distance of 200.00 feet to an iron pin in line of land of the Grantor; thence extending along land of the Grantor North 51 degrees 03 minutes East a distance of 390.95 feet to a spike in the center of macadam paved TR #390; thence along center of said

road South 43 degrees 35 minutes East a distance of 205.00 feet to a spike the place of beginning.

CONTAINING 1.963 acres strict measure.

SUBJECT to the same restrictions, covenants and conditions as set forth in previous deed.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: Q8-8-8B.

BEING THE SAME PREMISES which Stanley S. Rasich and Kathleen E. Rasich, husband and wife, by their deed dated October 5, 1976 and recorded October 12, 1976 in the Recorder of Deeds Office in and for Northampton County, Easton, Pennsylvania, in Deed Book Volume 554, page 436, granted and conveyed unto Barry E. Fahringer and Janice M. Fahringer, Grantors herein.

PARCEL IDENTIFICATION NO. Q8-8-8B.

Premises: 3652 Drifting Drive, Hellertown, PA 18055, Lower Saucon Township, Northampton County Pennsylvania.

**RECORD OWNER**

TITLE TO SAID PREMISES IS VESTED IN Steven A. Myhre and Rebecca L. Myhre, husband and wife, by Deed from Barry E. Fahringer and Janice M. Fahringer, dated 03/04/2004, recorded 03/11/2004, in Deed Book 2004-1, page 91927.

THEREON BEING ERRECTED a split-level dwelling with siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Seven A. Myhre and Rebecca L. Myhre a/k/a Rebecca L. Schwen-derman a/k/a Rebecca L. Byerley.

DANIEL G. SCHMIEG, ESQUIRE

**No. 45**

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION  
CV-2006-006875**

ALL THAT CERTAIN message or tenement and lot or piece of ground situate on the east side of Lincoln Avenue, between Twenty First and Twenty Second Streets, in the Borough of Northampton, in the County of Northampton and State of Pennsylvania, being known as #2147 Lincoln Avenue, bounded and described as follows, to wit:

BEGINNING at a point on the east side of Lincoln Avenue in line of property of Charles Heberling THENCE from said point of beginning northward along the east side of Lincoln Avenue a distance of twenty four (24) feet to a point on the east side of Lincoln Avenue in line of other property of the said Harry Howell; THENCE eastward along the last mentioned lands a distance of one hundred fifty (150) feet to a point on the west side of a public alley; THENCE southward along the west side of said alley a distance of twenty four (24) feet to a point in line of property owned by the said Charles Heberling; THENCE westward along the last mentioned property through the party wall a distance of one hundred fifty (150) feet to the point or place of beginning; CONTAINING 3,600 square feet.

BEING KNOWN AS: 2147 Lincoln Avenue Northampton, PA 18067.

PROPERTY ID NO.: L4SW1C-12-12.

TITLE TO SAID PREMISES IS VESTED IN Jeffrey A. Kreps by Deed from Eileen S. Kreps, Executor of the Estate of Burdelle Koehler dated 7/8/03 recorded 7/10/03 in Deed Book 2003-1 Page 263389.

THEREON BEING ERECTED a two story end of row dwelling with asbestos shingle siding exterior and shingle roof; detached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Jeffrey A. Kreps.

MARK J. UDREN, ESQUIRE

**No. 46**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-007247**

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

BEGINNING at the northeast corner of Folk Street and Lincoln Street, THENCE northwardly along the east side of Folk Street forty (40') feet to a point, THENCE eastwardly in a line parallel with Lincoln Street, a distance of one hundred forty (140') feet to the west side of Allen Street, THENCE southwardly along the west side of Allen Street forty (40') feet to Lincoln Street, THENCE westwardly along the north side of Lincoln Street one hundred forty (140') feet to the point and place of beginning.

SUBJECT to the restriction that no building shall at any time be constructed, built or erected within twenty-five (25) feet from the building line of said Folk Street,

BEING SAME PREMISES that Dorothy Kelley, married, by Deed dated 03/29/2000 and recorded 03/29/2000 in Northampton County in Deed Book 200001 on Page 35926 granted and conveyed unto Connie Jo Alford.

DWELLING KNOWN AS 536 FOLK STREET, EASTON, PA 18042.

IDENTIFIED as TAX/PARCEL ID: L9SE3C-16-5 in the Deed Registry Office of Northampton County, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Connie Jo Alford.

DANIEL J. MANCINI, ESQUIRE

**No. 47**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-007810**

ALL THAT CERTAIN lot or piece of land, with the improvements thereon erected, Hereditaments and Appurtenances, Situate on the South side of Fairview Avenue, in the Borough of Wilson, Northampton County, Pennsylvania, and designated upon a certain map of the Fairview Park Association Western addition to the City of Easton, entered for record by Jacob Hay, deceased, in the Office of the Recorder of Deeds at Easton, in and for said County of Northampton in Map Book No. 1, page 30, and being the Western 4 feet of Lot No. 306 and all of Lot No. 307, said tract containing in front on the south side of Fairview Avenue 24 feet, and extending of that width in depth, Southwardly between parallel lines, 130 feet to Linden Street.

BOUNDED on the North by Fairview Avenue, on the East by the remainder of Lot No. 306 now or late of Emma Coleman, on the South by Linden Street and on the West by Lot No. 308.

BEING the same premises which Arthur M. Hagerman and Mildred L. Hagerman, husband and wife, by Indenture dated April 2, 1958 and

recorded in the Recorder of Deeds, in and for the County of Northampton, aforesaid, in Deed Book Volume C101 page 288 &c., granted and conveyed unto John E. Walter and Arvilla L. Walter, in fee.

BEING Parcel No. L9SW2D-16-3.

UNDER AND SUBJECT to certain restrictions as now appear of record.

BEING KNOWN AS: 1940 FAIRVIEW STREET, EASTON, PA 18042.

PROPERTY ID NO.: L9SW2D-16-3.

TITLE TO SAID PREMISES IS VESTED IN John J. DeMeglio and Jennifer DeMeglio, tenants by the entirety by Deed from John E. Walter and Arvilla L. Walter dated 12/16/05 recorded 12/20/05 in Deed Book 2005-1 Page 515127.

THEREON BEING ERECTED a two story single brick dwelling with slate/shingle roof, detached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of John J. DeMeglio and Jennifer DeMeglio.

MARK J. UDREN, ESQUIRE

**No. 48  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-005496**

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

BEGINNING at a point one hundred twelve and seventy-seven one hundredths (112.77) feet east of the southeast corner of Goepp and Maple Streets, said point being in the middle of a party wall between

the premises herein described and the premises immediately adjoining on the west; thence extending eastwardly, along the southern line of Goepp Street seventeen and twenty-three one-hundredths (17.23) feet to the western line of a private alley; and of that same width, between parallel lines, extending southwardly eighty-five and three-tenths (85.3) feet to a point in line of lands now or late of Lewis Schmickley, the western boundary passing through the center of the within mentioned party wall.

BOUNDED on the north by Goepp Street, on the east by said private alley, on the south by lands now or late of Lewis Schmickley, and on the west by lands late of the estate of Christine Reichley, deceased, now or late of Lester Deily Himmelwright, Sr., and wife.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: P6NE2A-8-5.

BEING KNOWN AS 412 East Goepp Street, Bethlehem, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Prosperity Associates, Inc., Successor to the interests of estate of Harvey C. Harlacher, deceased.

PAUL HARAK, ESQUIRE

**No. 49  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-007855**

All that certain tract of land lying on the West side of North West Street at the Northern end of North 6th Street, known as Mount Jefferson, in the said City of Easton, County of Northampton, Common-

wealth of Pennsylvania, being more particularly bounded and described as follows, to wit:

Beginning at a point in the Northern property line of North West Street, said point being 164.0 feet southerly along the western property line of North West Street from the intersection with the Northern property line of Spring Garden Street; thence (1) westerly at right angles to North West Street North 88 degrees 00 seconds west, 91.5 feet to a point, thence (2) Southerly, south 03 degrees 27 minutes West 70.4 feet to a point; thence (3) Westerly, South 88 degrees 00 minutes West, 210.0 feet to a point in the Western property line of North 5th Street; thence (4) Northerly along a line which is the extension of the Western property line of North 5th Street North 02 degrees 00 minutes East, 31.4 feet to a point; thence (5) Westerly along line of property which is occupied by the Easton Public Library North 88 degrees 00 minutes West, 133.5 feet to a point; thence (6) Northerly by the same North 02 degrees 00 minutes East, 209.4 feet to a point; thence (7) Westerly, South 61 degrees 30 minutes West, 15.2 feet to a point in the Southern property line of Pearl Street; thence (8) Northeasterly along the southern property line of Pearl Street North 41 degrees 24 minutes East, 241.8 feet to a point; thence along lands of the Delaware River Joint Toll Bridge Commission the following 3 courses and distances: (9) Southeasterly, South 48 degrees 24 minutes East, 26.5 feet to a point (10) Northeasterly, North 58 degrees 48 minutes East, 218.0 feet to a point (11) Easterly, South 88 degrees 00 minutes East, 62.9 feet to a point; thence (12) South-

erly, South 02 degrees 00 minutes West, 55.0 feet to a point; thence (13) Easterly, South 88 degrees 00 minutes East, 30.0 feet to a point; thence (14) Southerly along a line which is partially the extension of the Western property line of North West Street and partially the Western property line of said North West Street South 02 degrees 00 minutes West, 382.0 feet to a point, the place of beginning.

Parcel Number: L9NE3D-11-20.

ADDRESS: 59 N. 5TH STREET, EASTON, PA 18042.

THEREON BEING ERECTED a two story single stucco dwelling with terra cotta roof.

SEIZED AND TAKEN into execution of the writ as the property of Charles G. Valentine and Lisa M. Valentine.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 51**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-05271**

PARCEL NO. 1

ALL THOSE CERTAIN three lots and pieces of land situated in the City of Easton, County of Northampton and State of Pennsylvania, bounded and described as follows: Each lot containing a frontage of 20 feet on the North side of Scott Street, or a total frontage of 60 feet; thence extending at the same width, Northwardly, in depth, 80 feet.

BOUNDED on the North by Kleinhans property; on the East by Lot No. 11 of said plan; on the South by Scott Avenue; and on the West by Lot No. 7 of said plan.

PARCEL NO. 2

ALL THAT CERTAIN lot or piece of ground situated on the west side of James Street, in the City of

Easton, County of Northampton and State of Pennsylvania, being designated as Lot No. 45 on the Plan of Lots of Hiram Kleinhans' Tract, recorded in the Recorder of Deeds Office, in and for Northampton County, in Book of Maps No. 9, page 61, bounded and described as follows:

BEGINNING at a point which is the Southwest corner of the intersection of James and Grant Streets 80 feet in a Southerly direction to a point which is the point of beginning; thence in a Southerly direction 27 feet, more or less, to a point in the North line of the Old Reese Estate; thence Westwardly 140 feet to Allen Street; thence Northerly 27 feet more or less, to a point in the Eastern line of Allen Street; thence Eastwardly 140 feet to the point of beginning.

BEING the same premises which Cindy L. Fultz, Administrator of the Estate of Jane E. Haas, deceased by Deed dated September 22, 1994 and recorded in Berks County on October 4, 1994 at Deed Book Volume 2580, Page 1752, granted and conveyed to Cindy L. Fultz.

Northampton County Tax parcel number: M9NE2B-10-07.

BEING KNOWN AS 126 Scott Street, Easton, Pennsylvania.

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

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

PATRICIA L. BLAIS, ESQUIRE

**No. 53**

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2006-006993**

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

situate in the Township of Forks, Northampton County, Pennsylvania, designated as Lot No. 166 on the Plan of Penn's Ridge, Phase 4, as said Plan is recorded in the Recorder of Deeds Office in and for Northampton County, Pennsylvania, in Map Book Volume 2000-5, page 306 et seq.

BEING HOUSE NO. 2590 Penn's Ridge Boulevard, Easton, PA 18040.

TITLE TO SAID PREMISES IS VESTED IN Junior O. Fraser and Lisa M. Fraser, husband and wife, by Deed from David B. Bierut, dated 01/14/2005, recorded 01/18/2005, in Deed Book 2005-1, page 21486.

Premises being: 2590 PENNS RIDGE BOULEVARD, EASTON, PA 18040

Tax Parcel No. K9-37-166.

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

SEIZED AND TAKEN into execution of the writ as the property of Junior O. Fraser a/k/a Junior A. Fraser and Lisa M. Fraser a/k/a Margaret Fraser.

DANIEL G. SCHMIEG, ESQUIRE

**No. 54**

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2004-002390**

ALL THAT CERTAIN lot or piece of land with a dwelling house erected thereon known as 221 Vista Drive situated in the City of Easton, County of Northampton and Commonwealth of Pennsylvania being known as Lot No. 68 as shown on a plat of subdivision entitled "The Highlands, Final Subdivision Plat, Section 1, Alvin and Rose Benjamin" by C. Douglas Cherry and Associates, recorded in the Office for the

Recording of Deeds in and for Northampton County, Pennsylvania, in Map Book 30, Page 23A.

BEING the same property conveyed to Jerome Chestnut by Deed from Michael Laddone and Paul Weiss recorded 03/19/2004 in Deed Book Page 2004019438, in the Office of the Recorder of Deeds of Northampton County, Pennsylvania.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L10SW4D-13-35.

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

SEIZED AND TAKEN into execution of the writ as the property of Jerome Chestnut.

DANIEL G. SCHMIEG, ESQUIRE

**No. 55**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-008074**

ALL THAT CERTAIN tract or piece or land with improvements thereon situate in Lehigh Township, Northampton County and State of Pennsylvania, and along the northerly side of PA State Dept of Highway #48056 leading westwardly, etc. from its junction with Route #946 near Danielsville to the intersection with Route #45 near Leghigh Gap, and is otherwise bounded and described as follows to wit:

BEGINNING at a point approximately in the middle of the said bituminous highway #48056 and in the line dividing lands now or late of Irme Szakaly and Daniel J. Rubright and Lizzie C. Rubright, thence following said dividing line and by land now or late of the said Irme Szakaly, North twelve (12) degrees eight (8) minutes West in ac-

cordance with the magnetic needle as of date of survey (for comparison the reverse bearing recited in former deed is south fifteen (15) degrees thirty (30) minutes East thru an iron pin on line at twenty-four 44/100 (24.44) feet five hundred twenty five & 8/100 (525.08) feet to an iron pin; thence by land now or late of Daniel J. Rubright and Lizzie C. Rubright and of which said land the hereindescribed was formerly a part as hereinafter recited, the three (3) remaining courses and distances, North seventy eight (78) degrees fifty one (51) minutes East, one-hundred sixty four & 52/100 (164.52) feet to an iron pin; south eleven (11) degrees nine (9) minutes East, thru an iron pin on line at five hundred forty four & 28/100 (544.28) feet five hundred sixty five & 89/100 (565.89) feet to a point approximately in the middle of said highway #48056; thence in said Highway, North eighty six (86) degrees twenty five (25) minutes West, one hundred sixty & 8/10 (160.80) feet to the place of beginning.

Tax Parcel #H2 1-74.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Kenneth J. Krajcik, unmarried and Lauryl Lynn Hudgen, unmarried, as joint tenants with rights of survivorship by Deed from Mary A. Wogringig by her Power of Attorney, Andrew Kanas, Jr. dated 10-8-1996, recorded 10/17/1996, in Record Book Volume 1996-1, Page 110087.

BEING KNOWN AS 4874 Timberline Road, Walnutport, Pennsylvania.

THEREON BEING ERECTED a ranch style stone dwelling with detached two-car garage.



SEIZED AND TAKEN into execution of the writ as the property of Kenneth J. Krajcik and Lauralynn Hudgen a/k/a Lauralynn Troeller.

DANIEL G. SCHMIEG, ESQUIRE

**No. 56**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-003670**

ALL THAT CERTAIN piece and parcel of land located in the Township of Forks, Northampton County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point described as follows: In a line which is 2 1/2 feet Northeast of the northeast side and parallel thereto of Mountain Spring Hotel, said line bearing South 45 degrees 48 minutes East, and measured 55.85 feet on said line from a point in range with the front or southeast side of said Hotel, said Hotel located on the northwest side of the Delaware River Road starting with the points so described, said point being on the southeast side of the Delaware River Road;

THENCE North 45 degrees 48 minutes West, 32.85 feet to a point, said point being the southern corner of Tract No. 1;

THENCE continuing along the same line, North 45 degrees 48 minutes West, 249.8 feet to a point, said point being the western corner of Tract No. 1;

THENCE South 53 degrees 39 minutes West, 164.5 feet to a point;

THENCE South 38 degrees 56 minutes East, 268.8 feet to a point, said point being on the northwest side of the Delaware River Road;

THENCE continuing along the said line, South 38 degrees 56 minutes East, 105 feet, more or less, to the Delaware River;

THENCE in a general northeasterly direction along the west bank of the Delaware River, 300 feet, more or less, to a point;

THENCE North 37 degrees 02 minutes West, 70 feet, more or less, to a point, in the southeast side of the side of the Delaware River Road;

THENCE along this side of said River Road, South 51 degrees 35 minutes West, 103.7 feet to the place of BEGINNING.

BOUNDED on the Northwest by property of C.K. Williams and on the Southeast by the Delaware River, and on the Northeast by property of Clinton Savitz, now Ray P. Miller.

EXCEPTING THEREOUT, however, a piece of land situate on the east side of the Delaware River Road at the northeast corner of the above described tract, which piece of land was conveyed to Raymond J. Miller, et ux., by Clinton Savitz, et ux., by their Indenture dated October 27, 1919, and recorded in the Office of the Recorder of Deeds in and for Northampton County in Deed Book E, Volume 46, page 671. The excepted lot starts 28.7 feet North 51 degrees 35 minutes East, from the point of beginning of Tract No. 2 above described and is 75 feet front by 70 feet, more or less in depth.

BEING PARCEL NUMBERS K10SW-10-24 AND K10SW1-14-2.

ALSO DESCRIBED AS FOLLOWS: THE PURPOSE OF ADDING THE CORRECTED DESCRIPTION IS TO AVOID USING THE "LESS AND EXCEPTING" LANGUAGE THAT HAS APPEARED IN THE CHAIN OF TITLE.

ALL THAT CERTAIN piece and parcel of land located in the Township of Forks, Northampton County, Pennsylvania, as described by a

survey dated 10/9/97 of Thomas J. Morganeli, P.L.S. of Bethlehem.

BEGINNING at a point, said point being on a line 2.50 feet northeasterly of and parallel to the northeasterly side of #1600 North Delaware Drive and 23.00 feet southeasterly from the extension of the present southeasterly side of the building, said point being near the northwesterly side of North Delaware Drive (U.S. Route 611);

THENCE along lands now or late of John Starke, North 45 degrees 48 minutes 00 seconds West, 249.50 feet to a point;

THENCE along lands purportedly now or late of Tomias Hinchcliff, South 53 degrees 39 minutes 00 seconds West, 164.50 feet to a point;

THENCE along lands now or late of the City of Easton, South 38 degrees 56 minutes 00 seconds East, 268.80 feet to a point;

THENCE along other lands now or late of the City of Easton, South 38 degrees 56 minutes 00 seconds East, 105.00 feet to a point;

THENCE more or less along the Delaware River Bank, North 48 degrees 13 minutes 30 seconds East, 224.63 feet to a point;

THENCE along lands now or late of John M. Starke, North 37 degrees 02 minutes 00 seconds West, 74.41 feet to a point;

THENCE more or less along the southeasterly side of North Delaware Drive, South 51 degrees 35 minutes 00 seconds West, 28.70 feet to a point;

THENCE crossing North Delaware Drive, North 45 degrees 48 minutes 00 seconds West, 32.85 feet to a point, the place of BEGINNING.

BEING the same premises which Alan J. Ciambrone and Linda Ciambro-

brone, husband and wife, and Samuel J. LaRosa and Elizabeth C. LaRosa, husband and wife by Deed dated October 9, 1997 and recorded on October 22, 1997 in Book 1997-1, page 116069, granted and conveyed unto Susan G. Best.

BEING KNOWN AS 1600 North Delaware Drive, Easton, Pennsylvania.

THEREON BEING ERECTED a stone and stucco two story commercial building.

SEIZED AND TAKEN into execution of the writ as the property of Susan G. Best.

LAUREN TABAS, ESQUIRE

**No. 57**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-001080**

ALL THOSE FOUR CERTAIN lots of land with improvements thereon, situate in the Township of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the south side of Northampton Street, distant 80 feet east of the southeast corner of Northampton and Cawley streets (formerly Fifth Street); thence extending eastwardly along Northampton Street 80 feet to the northwest corner of Lot No. 1176 and extending of that same width in depth southwardly 110 feet to a 15 foot wide alley.

BOUNDED on the north by Northampton Street, on the east by Lot No. 1176, on the south by Said alley and on the west by Lot No. 1171.

BEING LOT NOS. 1172, 1173, 1174, and 1175 on Plan of 'Bethlehem Annex', recorded in Plan Book 6 Page 49.

TITLE TO SAID PREMISES IS VESTED IN Paul W. Searfass and Cheri L. Searfass, his wife, by Deed from Eugene F. Balik, Sr. and Vera T. Balik, his wife dated 11/25/87, recorded 12/3/87, in Deed Book 739, Page 13.

Premises being: 3012 NORTH-AMPTON STREET, BETHLEHEM, PA 18020.

Tax Parcel No. N7NW3-48-2.

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

SEIZED AND TAKEN into execution of the writ as the property of Cheri L. Searfass a/k/a Cheri L. Solliday and Paul Searfass.

DANIEL G. SCHMIEG, ESQUIRE

**No. 59**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-002177**

ALL THAT CERTAIN tract or parcel of land situate on the westerly side of Airport Road in the Township of Hanover, County of Northampton and Commonwealth of Pennsylvania, bounded and described in accordance with a reconnaissance survey conducted in 1981, as follows, to wit:

BEGINNING at a one and three quarter inch iron pipe found on the westerly side of Airport Road, said pipe being located 18.5 feet west, more or less, from the centerline of the road and 5.15 feet from a tack set (along the property line to the west) in utility pole ATTCH 64601/S49500;

THENCE along the westerly side of Airport Road, parallel with the centerline thereof, North 20° 39' 30" East (shown as North 24-1/2 degrees East on previous deeds), 150.40 feet to a one inch diameter iron bar found 1.3 feet below a gravel

drive (with a 1/2" reinforcing bar set flush over the top at grade). Said iron bar being located 18.5 feet west, more or less, from the centerline of the road; 106.78 feet from a nail set in utility pole ATTCH 64604/S49513 to the north; 57.49 feet from the north edge of a concrete headwall to the south; and 38.43 feet from a nail set in utility pole PP&L 64608/S49511 to the east;

THENCE along lands now or formerly of Richard P. Mason, Jr. and wife, in a westerly direction (shown as North 88 1/2 degrees West on previous deeds), 500 feet, more or less, to a one inch diameter iron bar found in the line of lands now or formerly of Emil Tindula, and wife, said iron bar being 150 feet, more or less, south of another iron bar found at the northwesterly corner of said "Mason" lands and 0.75 feet, more or less, east of a one and three quarter inch iron pipe found;

THENCE along said "Tindula" lands in a southerly direction (shown as South 1 1/2 degrees West on previous deeds), 150 feet to a one and three quarter inch iron pipe found at a corner of lands now or formerly of Robert R. Siegfried;

THENCE along said "Siegfried" lands and further along lands now or formerly of Gerald R. Deetz, Sr. and wife, North 89° 30' East, 443 feet, more or less, to the one and three quarter inch diameter iron pipe found at the point and place of BEGINNING. Containing 1.62 acres of land, more or less.

FORMERLY DESCRIBED AS:

ALL THAT CERTAIN tract or piece of land known as Lot No. 1 in the Township of Hanover, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at an iron stake at the western edge of the cement highway leading from Allentown to Bath; thence along the same north 24 1/2° East one hundred fifty (150) feet to an iron stake; thence (passing an iron stake 10 feet from said stake) by land now or late of Richard P. Mason and wife North 88 1/2° West five hundred (500) feet to an iron stake; thence by lands late of Jacob Buss, now Tindula, South 1 1/2° West one hundred fifty (150) feet to an iron stake; thence by lands now or late of Victor Kibler North 89 1/2° East four hundred forty-three (443) feet more or less, to the point the place of BEGINNING. CONTAINING one acre and sixty-two hundredths (1 62/100) of an acre, more or less.

HAVING THEREON ERECTED A DWELLING KNOWN AS 4025 AIRPORT ROAD, ALLENTOWN, PA 18109.

PARCEL: M5-4-18.

BEING THE SAME PREMISES WHICH Terry Lee Noel and Sally Ann Billiard, Co-Executors of the Estate of Eleanor Mae Noel a/k/a Eleanor M. Noel, Deceased, by Deed dated 3/15/00 and recorded 3/28/00 in Northampton County Deed Book 200-1, Page 34698, granted and conveyed unto Michael W. Piechota.

THEREON BEING ERECTED a one story dwelling with shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Michael W. Piechota.

LEON P. HALLER, ESQUIRE

**No. 60**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-003858**

TRACT NO. 1:

ALL THAT CERTAIN MESSUAGE, TENEMENT OR TRACT OF

LAND situated in the Borough of Hellertown, Northampton County, Pennsylvania, being Lot No. 795 upon the Plan of Lots known as Woodlawn, laid out by John Danner, and recorded in the Office for the Recording of Deeds at Easton, Northampton County, Pennsylvania in Book of Maps No. 6, Page 46, etc, BOUNDED AND DESCRIBED as follows:

BOUNDED on the North by property now or late of Martin Shimer, on the East by Lots Nos. 789, 790, 791, 792, 793, and 794, on the South by Chestnut Street, and on the West by Lot No. 796.

CONTAINING in front on Chestnut Street twenty (20 feet) feet and extending in depth in a Northerly direction of that width one hundred forty-nine (149 feet) feet, more or less, to property now or late of Martin Shimer.

BEING KNOWN and Designated as No. 149 Chestnut Street.

TRACT NO. 2

ALL THAT CERTAIN TRACT OF LAND situated in the Borough of Hellertown, County of Northampton, State of Pennsylvania, BOUNDED and DESCRIBED as follows, to wit:

BEGINNING at a point in the north line of Chestnut Street, said point being distant eighty-six and five-tenths, (86.5 feet) feet west of the northwest corner of the intersection of Chestnut Street and Easton Road; thence extending along the north line of Chestnut Street in a westerly direction a distance of eight (8 feet) feet to a point, the southeast corner of Lot No. 795; thence extending of this same width between parallel lines at right angles to Chestnut Street in a northerly direction a distance of seventy-five

(75 feet) feet to the southern boundary line of Lot No. 792.

BOUNDED on the North by Lot No. 792, on the east by Lots Nos. 789, 790, and 791, on the South by Chestnut Street, and on the West by Lot No. 795.

BEING THE SAME PREMISES, which Michael A. Skibo and Leocaida Skibo, his wife, by their Deed dated July 1, 1949 and recorded in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume B 85, Page 319 granted and conveyed unto Owen B. McCall and Loretta D. McCall, his wife, The said Owen B. McCall passed away August 1, 1993, title to the within premises vested in Loretta McCall, aka Loretta D. McCall, aka Loretta McCall, as surviving tenant by the entirety.

BEING KNOWN AS 149 East Chestnut Street, Hellertown, PA, according to the present system of City numbering.

**RECORD OWNER**

TITLE TO SAID PREMISES IS VESTED IN Kevin S. Guthrie and Lisa M. Gehman, Joint Tenants with the Right of Survivorship, by Deed from Owen Micheal McCall, Executrix of the Estate of Loretta McCall, a/k/a, Loretta D. McCall, a/k/a, Loretta McCall, deceased, dated 05/24/1999, recorded 06/03/1999, in Deed Book 1999-1, page 81778.

**PRIOR DEED INFORMATION**

TITLE TO SAID PREMISES IS VESTED IN Owen B. McCall and Loretta D. McCall, his wife, by Deed from Michael A. Skibo and Leocaida Skibo, his wife, dated 07/01/1949, recorded 07/05/1949, in Deed Book B 85, page 319.

Premises being: 149 EAST CHESTNUT STREET, HELLERTOWN, PA 18055.

Tax Parcel No. O7SW2B-1-10.

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

SEIZED AND TAKEN into execution of the writ as the property of Lisa M. Guthrie a/k/a Lisa M. Stone and Kevin S. Guthrie.

DANIEL G. SCHMIEG, ESQUIRE

**No. 61**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-007939**

ALL that certain lot or piece of land together with the Western One-half of a double brick dwelling thereon erected and known as No. 1218 Chidsey Street, situate on the South side of Chidsey 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 side of Chidsey Street, sixty-two (62) feet East of the Southeast corner of Chidsey and Cherry Streets, thence East along the South side of Chidsey Street, fifteen feet, nine inches, (15' 9") more or less, to the middle of a partition wall dividing the dwelling Nos. 1216-1218 Chidsey Street, thence South on a line extending thru the middle of said partition wall, one hundred and forty (140) feet to Juniper Street, thence West along the North side of Juniper Street, fifteen feet, nine inches, (15' 9") more or less, to land now or late of Aaron W. Hackman, thence North one hundred and forty (140) feet to the place of Beginning.

BEING ALSO KNOWN AS NORTHAMPTON COUNTY TAX PARCEL IDENTIFIER NO. L9NE4D-2 4.

BEING the same premises which Wayne P. Velasco and Robbyn T.

Velasco, husband and wife, as Tenants by the Entireties, as between themselves, and Jacob R. Twining and Pamela J. Twining, husband and wife, as Tenants by the Entireties, as between themselves and as Tenants in Common as between each such Tenants by the Entireties by Deed dated November 4, 1999 and recorded on November 15, 1999 in the Northampton County Recorder of Deeds Office in Book 1999-1, page 169689, granted and conveyed unto Genivre Lee Post, single.

SEIZED AND TAKEN into execution of the writ as the property of Genivre Lee Post.

LAUREN R. TABAS, ESQUIRE

**No. 62**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-008421**

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

BEGINNING at a iron pin on the West side of Washington Street on the curbline; thence along the West side of Washington Street, South sixteen (16) degrees eighteen (18) minutes East, thirty-nine and one-tenth (39.1') feet to the edge of the curbline; thence along the lands now or late of Mary E. Snyder, South seventy-two (72) degrees fifty-two (52) minutes West, twenty-nine and seventy-eight hundredths (29.78') feet to a point; thence along the same, South fifty-nine (59) degrees West, one hundred twenty-nine and

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

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

BEING KNOWN AS 618 Washington Street, Walnutport, Pennsylvania.

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

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

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

DANIEL G. SCHMIEG, ESQUIRE

**No. 64**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2005-009504**

ALL THAT CERTAIN lot or parcel of land situate in the Township of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, and being designated as Lot No. 5, Block 3, on Plan of "Walnut Hill

Estates", prepared by C.A. Costello Engineering Co., dated March 31, 1970 and recorded in Plan Book 27, Page 10, Northampton County Records.

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

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

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

THEREON BEING ERECTED a two story single dwelling w/attached one-car garage, aluminum siding

and fieldstone exterior and shingle roof.

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

MARK J. UDREN, ESQUIRE

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

Jan. 18, 25; Feb. 1

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Jan. 25

**FEBRUARY 2007 COURT CALENDAR**

<b>MON</b>	<b>TUE</b>	<b>WED</b>	<b>THU</b>	<b>FRI</b>
			1 Juvenile DRS	2 Misc. Hearings
5 Juvenile Criminal	6 Criminal	7 Civil Call Criminal	8 Juvenile Arraignments Criminal	9 Misc. Hearings
12 Juvenile Civil	13 Civil	14 Civil	15 Juvenile Civil	16 Misc. Hearings
19 President's Day (Observed)	20 Juvenile Civil Pretrials	21 Misc. Hearings Status O.C. Audit	22 State Judges' Conference	23 State Judges' Conference
26 Juvenile	27 Argument	28 DRS		





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**EILEEN G. ROSS, Plaintiff v. GLENMOOR, L.P., Defendant***Preliminary Objections.*

Defendant, Glenmoor, L.P., brought Preliminary Objections in the nature of a Demurrer against Plaintiff's, Eileen G. Ross, claim for punitive damages for Breach of Express Warranty under the Uniform Condominium Act ("UCA"), damages for Breach of the Implied Warranty of Habitability and Reasonable Workmanship, and for treble damages for violation of the Unfair Trade Practice and Consumer Protection Law ("UTPCPL").

The Court Sustained Defendant's Demurrer with respect to Plaintiff's claim for punitive damages for Breach of Express Warranty as provided in the UCA. The Court held that while the UCA permits a party to seek punitive damages for breach of the warranties provided by the UCA, the Law of Pennsylvania does not permit punitive damages where Plaintiff's claim for recovery is based in contract and Plaintiff's Complaint pleads no more than ordinary negligence.

The Court Overruled Defendant's Demurrer with respect to Plaintiff's claim for Breach of the Implied Warranty of Habitability and Reasonable Workmanship. Defendant argued that the Implied Warranty did not extend to defects of which the buyer had actual notice of before settlement. Generally under the Implied Warranty, a builder of a new home warrants that the home is fit for habitation and was constructed in a workmanlike manner. Furthermore, Plaintiff could properly claim a violation of the Implied Warranty, because Plaintiff notified Defendant of the damage to the home and refused to accept the home with the defects.

Lastly, the Court Sustained Defendant's Demurrer with respect to Plaintiff's claim for treble damages for violation of the UTPCPL. Plaintiff failed to make allegations of common law fraud against the Defendant, and as a result Plaintiff failed to state a claim under the UTPCPL.

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Action—Law, No. C0048CV2005001205.

Order of Court Overruling in part and Sustaining in part Defendant's, Glenmoor, L. P., Preliminary Objections against Plaintiff's, Eileen G. Ross', Complaint.

WILLIAM P. COFFIN, ESQUIRE, for Plaintiff.

SCOTT B. ALLINSON, ESQUIRE and WENDY R. S. O'CONNOR, ESQUIRE, for Defendant.

Order of the Court entered on July 20, 2005 by BARATTA, J.

**ORDER**

AND NOW, this 20th day of July, 2005, the Preliminary Objections in the nature of a demurrer filed on behalf of Defendant, Glenmoor, L.P., against Plaintiff's Complaint for the reasons stated herein are OVERRULED in part and SUSTAINED in part:

1. Defendant's Demurrer to Count II of Plaintiff's Complaint is SUSTAINED as to Plaintiff's claim for punitive dam-

ages. Plaintiff may not seek punitive damages against Defendant.

2. Defendant's Demurrer to Count III of Plaintiff's Complaint is **OVERRULED**.

3. Defendant's Demurrer to Count IV of Plaintiff's Complaint as to violation of the Unfair Trade Practices and Consumer Protection Law is **SUSTAINED**.

Plaintiff is granted twenty (20) days from the date of this Order to file an Amended Complaint addressing these defects.

### *STATEMENT OF REASONS*

#### *I. Factual and Procedural Background*

Presently, before the Court are the Preliminary Objections filed by Defendant, Glenmoor, L.P., against the Complaint filed by Plaintiff, Eileen G. Ross.

By way of the Complaint filed, the instant dispute arises out of a contractual relationship entered into between Plaintiff and Defendant, whereby Plaintiff agreed to purchase Unit No. 146, Stafford II Twin Plan with Plan 5 second floor and right-sided 2-car garage Glenmoor Condominium that was being constructed by Defendant in Easton, Pennsylvania. A Purchase Agreement for the above mentioned condominium unit was entered into on June 12, 2003 with settlement to take place on July 11, 2003. Plaintiff agreed to pay a total of \$267,431.25, with an \$18,611.75 deposit having been paid when the Purchase Agreement was executed.

The Purchase Agreement was attached to Plaintiff's Complaint as Exhibit A. Paragraph 21 of said agreement provides in pertinent part:

Seller [Defendant] hereby provides Buyer (and the Association) with the warranties against structural defects contained in Sections 3411(a), (b), and (e) of the Act. **SELLER MAKES NO FURTHER WARRANTIES, EXPRESS, GENERAL, LIMITED OR IMPLIED.**

\* \* \* \*

**THE WARRANTIES PROVIDED IN SECTION 3411 (a), (b) and (e) OF THE ACT, ARE THE ONLY WARRANTIES MADE TO BUYER OR THE ASSOCIATION AND ARE EXPRESSLY MADE IN LIEU OF ANY OTHER EXPRESSED OR IMPLIED WARRANTIES BY SELLER, SELLER'S AGENTS OR EMPLOYEES, OR ANY OTHER PERSON, INCLUDING REPRESENTATIONS MADE IN BROCHURES, DRAWINGS, RENDERINGS OR OTHER SALES MATERIALS.**

See Plaintiffs Complaint, Exhibit A ¶21.

Prior to settlement, Plaintiff undertook an inspection of the condominium to be purchased. In the course of the inspection, Plaintiff discovered cracks in the condominium's foundation and exterior walls. Plaintiff further alleges that these cracks were not repaired by settlement day. As a result Plaintiff, refused to go to settlement on July 11, 2003.

Thereafter, on February 25, 2005, Plaintiff filed a four-count Complaint in this Court alleging: I) Breach of Contract; II) Breach of Express Warranty provided to buyers of condominium units under 68 Pa. C.S.A. §3411; III) Breach of Implied Warranty of Habitability and Reasonable Workmanship; and IV) violation of the Unfair Trade Practice and Consumer Protection Law (hereinafter referred to as "UTPCPL") as provided at 73 P.S. §201-2. The Complaint was withdrawn, but subsequently reinstated on March 30, 2005. Then, on May 13, 2005, Defendant filed the instant Preliminary Objections to Plaintiff's Complaint in the nature of a demurrer challenging Counts II, III, and IV. Specifically, Defendant challenges: Plaintiff's claim to Punitive Damages under the Uniform Condominium Act (hereinafter referred to as "UCA"), Plaintiff's claim for Breach of the Implied Warranty of Habitability and Workmanship, and Plaintiff's claim for treble damages for violation of the Unfair Trade Practice and Consumer Protection Law. This matter was listed on the June 28, 2005 Argument List and was assigned to the undersigned for disposition.

## II. Legal Standard

In ruling on preliminary objections in the nature of a demurrer, the trial court may consider no testimony or evidence outside of the complaint. *Mellon Bank, N.A. v. Fabinyi*, 437 Pa. Super. 559, 567, 650 A.2d 895, 899 (1994). All well-pleaded, material, relevant facts, along with all reasonable inferences therefrom, must be taken as true; *i.e.*, the court may not consider the factual merits of the claims. *In re Adoption of S.P.T.*, 783 A.2d 779, 782 (Pa. Super. 2001). In order to grant a demurrer, it must be certain from the face of the complaint that the claims will not support recovery under any legal theory. *Mellon Bank*, *supra* at 568, 650 A.2d at 899; *Eckell v. Wilson*, 409 Pa. Super. 132, 135, 597 A.2d 696, 697-98 (1991), *appeal denied*, 530 Pa. 643, 607 A.2d 253 (1992).

Preliminary objections, whose end result would be the dismissal of a cause of action, should be sustained only where "it is clear and free from doubt from all the facts pleaded that the pleader will be unable to prove facts legally sufficient to establish [its] right to relief." *Bourke v. Kazaras*, 746 A.2d 642, 643 (Pa. Super. 2000) (citation omitted). Moreover, it is essential that the face of the complaint indicate that its claims may not be sustained and that the law will not permit recovery. If there is any doubt, it should be resolved by the overruling of the demurrer. *Bailey v. Storlazzi*, 729 A.2d 1206, 1211 (Pa. Super. 1999).

### III. Discussion

#### A. Breach of Express Warranty and Punitive Damages

Defendant argues that Plaintiff's demand for punitive damages under Count II of the Complaint should be dismissed because punitive damages are not available in a breach of warranty cause of action.

The Plaintiff is seeking relief for Breach of Express Warranty by way of the UCA.<sup>1</sup> See 68 Pa. C.S.A. §3101 et seq. Specifically, Plaintiff contends that Defendant has violated paragraph 21 of the Purchase Agreement, in that the unit was constructed in such a manner that it had severe cracks in the foundation and exterior walls. See Plaintiff's Complaint ¶14-16. Paragraph 21 of the Purchase Agreement states that the Defendant provides a warranty to Plaintiff for structural defects as required by the UCA under Sections 3411(a), (b), and (e) of that Act.<sup>2</sup> See Plaintiff's Complaint ¶13; see also, Plaintiff's Complaint, Exhibit A. Plaintiff has further alleged that Defendant's "breach [of the express warranty] was done in a malicious and willful manner constituting a willful violation of 68 Pa. C.S.A. §3411." See Plaintiff's Complaint ¶21.

<sup>1</sup> We note at this juncture that the Defendant's assertions concerning the UCC are inapplicable to the Plaintiff's claim for breach of warranty under the UCA.

<sup>2</sup> Section 3411(a),(b), and (e) of the UCA provides:

(a) *Definition.*—As used in this section, "structural defects" means those defects in components constituting any unit or common element which reduce the stability or safety of the structure below accepted standards or restrict the normal intended use of all or part of the structure and which require repair, renovation, restoration or replacement. Nothing in this section shall be construed to make the declarant responsible for any items of maintenance relating to the units or common elements.

(b) *General rule.*—A declarant warrants against structural defects in each of the units for two years from the date each is conveyed to a bona fide purchaser, and all of the common elements for two years. Any conveyance of a unit during the two-year warranty period shall be deemed to transfer to the purchaser all of the declarant's warranties created under this section. The two years shall begin as to each of the common elements whenever the common element has been completed or, if later:

(1) as to any common element within any additional real estate or portion thereof, at the time the first unit therein is conveyed to a bona fide purchaser;

(2) as to any common element within any convertible real estate or portion thereof, at the time the first unit therein is conveyed to a bona fide purchaser; and

(3) as to any common element within any other portion of the condominium, at the time the first unit therein is conveyed to a bona fide purchaser.

(e) *Limitation of actions.*—No action to enforce the warranty created by this section shall be commenced later than six years after the warranty begins.

68 Pa. C.S.A. §3411(a), (b), (e).



Plaintiff contends that Section 3412 of the UCA permits punitive damages for willful violations of said Act. Section 3412 provides:

If a declarant or any other person subject to this subpart violates any provision thereof or any provision of the declaration or bylaws, any person or class of persons adversely affected by the violation has a claim for appropriate relief. Punitive damages may be awarded in the case of a willful violation of the subpart.

68 Pa. C.S.A. §3412.

Our Superior Court in *Johnson v. Hyundai Motor America*, 698 A.2d 631 (Pa. Super. 1997), has adequately explained the role of punitive damages in this Commonwealth:

The law of Pennsylvania clearly provides, however, that punitive damages are not recoverable in an action solely based upon breach of contract. *Thorsen v. Iron and Glass Bank*, 328 Pa. Super. 135, 143, 476 A.2d 928, 932 (1984). *See Standard Pipeline Coating Co. v. Solomon & Teslovich, Inc.*, 344 Pa. Super. 367, 375, 496 A.2d 840, 844 (1985) (holding ‘punitive damages will not be assessed for mere breach of contractual duties, where no recognized trespass cause of action... arose out of the same transaction’). Whereas in contract actions, damages are awarded to compensate an injured party for the loss suffered due to the breach, *Empire Properties, Inc. v. Equireal Inc.*, 449 Pa. Super. 476, 490, 674 A.2d 297, 304 (1996), the purpose of punitive damages is to punish outrageous and egregious conduct done in a reckless disregard of another’s rights; it serves a deterrence as well as a punishment function. *Scheeler v. Watkins*, 395 Pa. Super. 363, 383-84, 577 A.2d 585, 595 (1990). Therefore, under the law of this Commonwealth, a court may award punitive damages only if an actor’s conduct was malicious, wanton, willful, oppressive, or exhibited a reckless indifference to the rights of others. *SHV Coal, Inc. v. Continental Grain Co.*, 526 Pa. 489, 493, 587 A.2d 702, 704 (1991); *Rizzo v. Haines*, 520 Pa. 484, 555 A.2d 58 (1989).

*Johnson*, supra, 698 A.2d at 639.

Punitive damages cannot be awarded where a defendant’s conduct is found to constitute ordinary negligence. *Martin v. Johns-Manville Corp.*, 508 Pa. 154, 170, 494 A.2d 1088, 1096-97 (1985); *Houston v. Texaco, Inc.*, 371 Pa. Super. 399, 406, 538 A.2d 502, 505 (1988).

Here, the facts as alleged by Plaintiff can be summarized as follows: The Plaintiff discovered cracks in the foundation during a walk through. The cracks were not repaired prior to settlement.

We find, as a matter of law, that the facts pled by Plaintiff do not rise to the level of outrageousness required to support a claim for punitive

damages. At best, Plaintiff alleges that the foundation was negligently constructed because there were cracks easily observable during the walk through.

Consequently, we must sustain Defendant's demurrer to Count II of Plaintiff's Complaint as it pertains to the claim for punitive damages. However, and otherwise, Plaintiff's claim for breach of express warranty survives these Preliminary Objections.

### *B. Breach of Implied Warranty of Habitability and Reasonable Workmanship*

Defendant argues that Plaintiff has failed to state a cause of action for Breach of the Implied Warranty of Habitability and Reasonable Workmanship.

The law with respect to the Implied Warranty of Habitability and Reasonable Workmanship provides that a builder-vendor of a new home is deemed to impliedly warrant that the dwelling which he or she has built and is selling is constructed in a reasonably workmanlike manner and that it is fit for the purpose of habitation. *Elderkin v. Gaster*, 447 Pa. 118, 288 A.2d 771 (1972); *Ecksel v. Orleans Construction Co.*, 360 Pa. Super. 119, 519 A.2d 1021 (1987). The implied warranty requires that a builder, typically more skilled and experienced in the construction field than the purchaser, is to bear the risk that the building is built in accordance with contemporary community standards. *Pontiere v. James Dinert, Inc.*, 426 Pa. Super. 576, 581, 627 A.2d 1204, 1206 (1993). In an action against the builder of a new home for breach of the implied warranty of habitability, the plaintiff needs only allege that enumerated defects seriously detract from the value of the home. *Krugh v. Laurich*, 17 Pa. D. & C.4th 666 (C.P. Franklin Cty. 1991).

In *Davis v. Northridge Development Associates*, 424 Pa. Super. 283, 622 A.2d 381 (1993), a case similar to the one currently before us, the purchasers of a residential dwelling refused to go to settlement after cracks in the foundation walls were discovered. The seller argued that the implied warranty of habitability and reasonable workmanship did not apply because the purchaser had not yet accepted the home. The Superior Court disagreed with the sellers, and held that the implied warranty was effective upon execution of the construction contract, and therefore, the purchaser could seek relief under the implied warranty theory. *Davis*, at 293, 622 A.2d at 387.

The Defendant relies on *Tyus v. Resta*, 328 Pa. Super. 11, 476 A.2d 427 (1984), for support of its argument that the implied warranty of habitability and reasonable workmanship of a new home does not extend to defects of which the purchaser had actual notice, or which were, or should have been visible to a reasonably prudent person.

The issue in *Tyus* was whether the buyer of a new home had waived structural defects in a newly purchased home. The buyers in that case had

leased the home they were to purchase for six months prior to purchasing. After having settled on the home, the buyers discovered dampness and mildew throughout the home, which was the result of improper crawl space drainage system. The sellers argued that the implied warranty of habitability and reasonable workmanship no longer applied because the buyers had a reasonable opportunity to conduct a pre-purchase inspection and that because the defect should have been discovered prior to settlement, the buyers had waived the implied warranty. The Superior Court in finding in favor of the buyers, reasoned that because it was unreasonable to expect the purchaser to inspect an inaccessible crawl space, the implied warranties were not waived, even though an inspection of the crawl space may have revealed the defect.

Consequently, the Defendant's reliance on *Tyus* is misplaced. *Tyus* stands for the proposition that a buyer, who fails to raise an objection to known or visible defects prior to purchasing a home, waives his claim for those defects. Here, Plaintiff immediately voiced her claim and refused to accept the home. Plaintiff has never waived her rights to claim a violation of the implied warranty.

Next, we shall address the Defendant's argument that the Purchase Agreement waived all implied warranties.

It is well understood that only "clear and unambiguous" and "sufficiently particular" language in a written contract between the builder-vender and the home purchaser can waive an implied warranty of habitability. *Pontiere*, supra at 581, 627 A.2d at 1206; see also, *Tyus*, supra. In *Pontiere*, purchasers of a condominium did not waive their right to claim breach of implied warranty of habitability where the contract purported to limit warranty protection, but which made no specific reference to habitability. *Id.* at 582, 627 A.2d at 1207.

In reviewing paragraph 21 of the Purchase Agreement, we note that nowhere do we find a specific reference that the Plaintiff is waiving the implied warranty of habitability. As a result, Plaintiff has not waived the implied warranty.

The Defendant's Demurrer to Count III of Plaintiff's Complaint is overruled.

### *C. Unfair Trade Practice and Consumer Protection Law ("UTPCPL")—Treble Damages*

Lastly, Defendant contends that the Plaintiff has failed to adequately plead a right to treble damages under the UTPCPL.

We note that Plaintiff's Complaint fails to specifically allege violations under the UTPCPL, as set forth in 73 P.S. §201-2(4)(i)-(xxi). Therefore, without specific references to sections of the UTPCPL that the Defendant allegedly violated, we are left to guess as to the exact nature of Plaintiff's complaint. Without specific reference to the UTPCPL, we can only assume

that the Plaintiff seeks to proceed under the “catch-all” provision found in subsection (xxi).<sup>3</sup>

Regardless, we note that absence evidence of common law fraud one cannot bring a private cause of action under the UTPCPL. *Burkholder v. Cherry*, 414 Pa. Super. 432, 607 A.2d 745 (1992). Further, the Superior Court has repeatedly held that, in order to succeed under the “catch-all” provision of the UTPCPL, a plaintiff must prove all of the elements of common-law fraud. *Booze v. Allstate Insurance Co.*, 750 A.2d 877 (Pa. Super. 2000), *appeal denied*, 766 A.2d 1242 (Pa. 2000); *Sewak v. Lockhart*, 699 A.2d 755 (Pa. Super. 1997).

We carefully reviewed the Complaint. We find that Plaintiff has made no allegations of common-law fraud against the Defendant. Therefore, Plaintiff’s Complaint, as drafted, fails to set forth a valid claim under the UTPCPL.

Consequently, we must sustain Defendant’s Demurrer to Count IV of Plaintiff’s Complaint.

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<sup>3</sup> 73 P.S. §201-2(4)(xxi) sets forth:

“Engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding.”