

# Northampton County Reporter

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NO. 124

Northampton County Reporter Digest—2007-5

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- INSERT:** Blue: 1. "Accelerated Rehabilitative Disposition (ARD)/Guilty Pleas/Sentencing: An Introduction to the Basics"  
2. 2007 Calendar of Events  
3. NCBA Summer Outing  
4. Saving Lives, one pint at a time! (NCBA/Miller Keystone Blood Center—Blood Bank Program)
- Yellow: 1. Young Lawyers Division Walk for a Healthy Community  
2. "A General Review of PA Inheritance Tax and 20 Mistakes You Do Not Want to Make"  
3. "The ABC's of PFA's"  
4. PBI/CLE Seminars—NCBA Office—June-August, 2007

### NOTICE TO THE BAR... *Reporter Deadline Change*

July 5, 2007 Edition—ad deadline is Friday, June 29 at 4:00 p.m.

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

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

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Samuel P. Murray  
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Karl F. Longenbach  
Nicholas Noel, III  
Joel M. Scheer  
Michael P. Shay  
Ronald W. Shipman

*Northampton County Reporter*  
**Attorney Referral & Information Service**  
**155 South Ninth Street, Easton, PA 18042-4399**  
**Phone (610) 258-6333 Fax (610) 258-8715**  
**E-mail: [ncba@norcobar.org](mailto:ncba@norcobar.org)**  
**PBA (800) 932-0311—PBI (800) 932-4637**  
**BAR ASSOCIATION STAFF**

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

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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**

***YLD Community Project—Help us to support our community!***

**Walk for a Healthy Community—Saturday, June 16, 2007**

Friends and family are welcome to join us!

To register: [www.walkforahealthycommunity.org](http://www.walkforahealthycommunity.org). On-line registration is due by Friday, June 8. You may also register the day of the Walk.

Additional information inside.

***Included in This Issue:***

- ★ **NCBA Calendar of Events and PBI/CLE Seminars**

***Lunch Lectures:***

- ★ **“ARD/Guilty Pleas/Sentencing: An Introduction to the Basics”**—May 23, 2007 @ NCBA office. Registration for inside.
- ★ **“A General Review of PA Inheritance Tax and 20 Mistakes You Do Not Want to Make”**—May 30, 2007 @ Best Western, Bethlehem. Registration form inside.
- ★ **“The ABC’s of PFA’s”**—June 20, 2007 @ NCBA office. Registration form inside.

***Save the Date***

**NCBA Summer Outing—Thursday, July 19, 2007**

Softball, golf, quoits tournament, 5K run and biking along with lots of food and drink!

A man is not necessarily intelligent because he has plenty of ideas, any more than he is a good general because he has plenty of soldiers.—Sebastien Roch Nicolas Chamfort, 1741-1794

**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****D'AQUILA, SAM W.**, dec'd.

Late of the Borough of Portland, Northampton County, PA

Administrator: William E. D'Aquila c/o David J. Ceraul, Esquire, 22 Market Street, P.O. Box 19, Bangor, PA 18013

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

**HAPSTAK, WILLIAM J.**, dec'd.

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

Co-Administrators, D.B.N.: William J. Rybak, Esquire, 408 Adams Street, Bethlehem, PA 18015 and Lida J. Hapstak, 209 Tower Road, Etowah, NC 28729

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

**HOYT, RUTH a/k/a RUTH I.**

**HOYT**, dec'd.

Late of Williams Township, Northampton County, PA

Executrix: Elaine S. Seiple c/o Richard H. Yetter, III, Esquire, 4480 William Penn Highway, Easton, PA 18045  
Attorney: Richard H. Yetter, III, Esquire, 4480 William Penn Highway, Easton, PA 18045

**KONDASH, JOHN R.**, dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Richard Kondash, 736 James Drive, Nazareth, PA 18064

Attorney: Robert Pandaleon, Esquire, 821 East 4th St., Bethlehem, PA 18015

**LANE, WARREN T., JR.**, dec'd.

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

Executrix: Nancy Dungan c/o Craig A. Dally, Esquire, Pierce & Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

Attorneys: Craig A. Dally, Esquire, Pierce & Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

**LAZARUS, ELSIE D.**, dec'd.

Late of the Township of Palmer, Northampton County, PA

Executrix: Lois J. Ritchie 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

**MULLNER, HELEN P.**, dec'd.

Late of North Catasauqua, Northampton County, PA

Executrix: Juliann Gangewere c/o Jeffrey F. Hussar, Esquire,

946 Third Street, Whitehall,  
PA 18052

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

**PEREZ, EVELYN K.**, dec'd.

Late of the City of Bethlehem,  
Northampton County, PA  
Co-Executors: James J. Perez,  
Jr. and Jean M. Perez c/o  
Harry Newman, Esquire, Harry  
Newman & Associates, P.C.,  
3897 Adler Place, Suite 180C,  
Bethlehem, PA 18017

Attorneys: Harry Newman,  
Esquire, Harry Newman & As-  
sociates, P.C., 3897 Adler  
Place, Suite 180C, Bethlehem,  
PA 18017

**PEREZ, JAMES J., SR.**, dec'd.

Late of the City of Bethlehem,  
Northampton County, PA  
Co-Executors: James J. Perez,  
Jr. and Jean M. Perez c/o  
Harry Newman, Esquire, Harry  
Newman & Associates, P.C.,  
3897 Adler Place, Suite 180C,  
Bethlehem, PA 18017

Attorneys: Harry Newman,  
Esquire, Harry Newman & As-  
sociates, P.C., 3897 Adler  
Place, Suite 180C, Bethlehem,  
PA 18017

**PETERS, EMMA K.**, dec'd.

Late of the Township of Lower  
Saucon, Northampton Coun-  
ty, PA

Executor: Raymond L. Alte-  
mus, 1550 Whisper Rock Way,  
Reno, NV 89523

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

**REYBITZ, CHESTER A.**, dec'd.

Late of Bethlehem, Northamp-  
ton County, PA

Executor: Ronald J. Reybitz,  
365 Devonshire Drive, Bethle-  
hem, PA 18017

**RUMBOLD, ALFRED W.**, dec'd.

Late of the Borough of Bangor,  
Northampton County, PA  
Executrix: Christine L. Mei-  
zanis, 35 Oak Ridge Estates,  
East Stroudsburg, PA 18301  
Attorneys: Jeffrey L. Wright,  
Esquire, Cramer, Swetz & Mc-  
Manus, P.C., 11 Sarah Street,  
Stroudsburg, PA 18360

**SOFRANEK, OLIVIA V.**, dec'd.

Late of Bethlehem Township,  
Northampton County, PA  
Executrix: Sandra J. Master  
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

**TORCIVIA, JOHN N. a/k/a  
JOHN NICHOLAS TORCIVIA  
a/k/a JOHN TORCIVIA**,  
dec'd.

Late of the City of Bethlehem,  
Northampton County, PA  
Administratrix: Denise A.  
Torcivia 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

**WYSOCKI, MARY P. a/k/a  
MARY WYSOCKI**, dec'd.

Late of the City of Bethlehem,  
Northampton County, PA  
Executrix: Renee A. Molony,  
3307 NW 18th Street, Gaines-  
ville, FL 32605

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

**SECOND PUBLICATION**

**BRULEY, LOUISE J.,** dec'd.

Late of the Township of Hanover, Northampton County, PA  
Executrix: Felecia Mary Bruley Bates a/k/a Felicia B. Bates, 4318 Kathi Drive, Bethlehem, PA 18017

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

**DANKO, JOHN J.,** dec'd.

Late of the Township of East Allen, Northampton County, PA

Administratrix: Mary J. Muselman 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

**EVERETT, FRANCIS E.,** dec'd.

Late of the Township of Palmer, Northampton County, PA  
Administratrix: Lisa Pellegrino, 1401 Boxwood Drive, Branchburg, NJ 08876  
Attorneys: Charles Bruno, Esquire, Pfeiffer & Bruno, P.C., 203 South Seventh Street, Easton, PA 18042-4315

**HANCOX, ROBERT O.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA  
Executrix: Susan C. Hancox c/o Paul A. Florenz, Esquire, Kolb, Vasiliadis and Florenz, 74 West Broad Street, Ste.

170, Bethlehem, PA 18018-5738

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

**HARKA, DAVID,** dec'd.

Late of the Borough of Bath, Northampton County, PA  
Executrix: Susan L. Stewart, 142 E. Northampton Street, Bath, PA 18014

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

**HOLMES, BEVERLY A.,** dec'd.

Late of the Township of Palmer, Easton, Northampton County, PA

Administrator C.T.A.: Marlyn Johnson c/o Kirby G. Upright, Esquire, King Spry Herman Freund & Faul LLC, One West Broad Street, Suite 700, Bethlehem, PA 18018

Attorneys: Kirby G. Upright, Esquire, King Spry Herman Freund & Faul LLC, One West Broad Street, Suite 700, Bethlehem, PA 18018

**KERN, MATILDA C.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA  
Co-Executors: Andrea K. Rothrock and Martin L. Kern, Jr. c/o Dee Serfass, CPA, Serfass & Serfass, 2010 West Broad Street, Bethlehem, PA 18018

**KORPICS, PETER D., SR.,** dec'd.

Late of the Borough of Walnutport, Northampton County, PA  
Executrix: Nancy I. Korpics c/o Alfred S. Pierce, Esquire,

Pierce & Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

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

**MACALUSO, ROBERT**, dec'd.

Late of Williams Township, Northampton County, PA  
 Executrix: Barbara A. Weaver a/k/a Barbara A. Macaluso 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

**MARTOCCI, CELIA a/k/a CELIA L. MARTOCCI**, dec'd.

Late of the Borough of Roseto, Northampton County, PA  
 Co-Executors: Mr. Nicholas J. Martocci and Mr. Joseph F. Martocci, Jr., 409 Falcone Avenue, Roseto, PA 18013

Attorney: Vaughn A. Terrinoni, Esquire, 3976 Township Line Road, Bethlehem, PA 18020

**ROTHROCK, RUTH E. a/k/a RUTH ROCKROCK**, dec'd.

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

Co-Executors: Dale Rothrock and Jeffrey Rothrock 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

**RUHF, IRENE M.**, dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executor: James M. Buskirk 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

**SCHULTZ, SYLVIA G. a/k/a SYLVIA SCHULTZ**, dec'd.

Late of Plainfield Township, Northampton County, PA  
 Executrix: Jeanne P. Joseph c/o McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, Bangor, PA 18013  
 Attorneys: McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, Bangor, PA 18013

**SINGER, DAISY**, dec'd.

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

Executor: Max L. Robbins c/o Dionysios C. Pappas, Esquire, Vasiliadis & Associates, 2551 Baglyos Circle, Suite A-14, Bethlehem, PA 18020

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

**STEATS, WILLIAM H., SR. a/k/a WILLIAM H. SHEATS**, dec'd.

Late of the City of Easton, Northampton County, PA  
 Co-Administrators: William H. Sheats, Jr., 104 South Third Street, Easton, PA 18042 and Shirley Psihoda, 142 W. Madison Street, Easton, PA 18042

Attorney: William P. Coffin,  
Esquire, 100 North Fourth  
Street, Easton, PA 18042

**TODD, NAOMI R.**, dec'd.

Late of Bethlehem, Northamp-  
ton County, PA

Executor: Ronald H. Kranich,  
Sr., 1846 Butler Street, East-  
on, PA 18042

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

**WILSON, MARTHA M.**, dec'd.

Late of the Township of Han-  
over, Northampton County, PA  
Executor: Warren W. Wilson,  
1400 Stoke Park Road, Beth-  
lehem, PA 18017

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

**THIRD PUBLICATION**

**ANGSTADT, LAUREN B.**, dec'd.

Late of Bethlehem, Northamp-  
ton County, PA

Administrator: Harry New-  
man, Esquire, 3897 Adler  
Place, Suite 180, Building C,  
Bethlehem, PA 18017

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

**BUTZ, JANICE E.**, dec'd.

Late of Mt. Bethel, Northamp-  
ton County, PA

Executor: Gary J. Butz c/o  
Scott M. Amori, Esquire,  
Amori & Riegel, LLC, 513 Sa-  
rah St., Stroudsburg, PA 18360  
Attorneys: Scott M. Amori,  
Esquire, Amori & Riegel, LLC,  
513 Sarah St., Stroudsburg,  
PA 18360

**FREY, LOIS ANN**, dec'd.

Late of Upper Mount Bethel  
Township, Northampton  
County, PA

Administratrix: Sheryl V.  
O'Donnell, 33 Edgemere Av-  
enue, Mt. Arlington, NJ 07856

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

**GIOVANNI, SERAFINA**, dec'd.

Late of the Township of Palm-  
er, Northampton County, PA  
Executrix: Grace Oren, 3322  
Vermont Street, Easton, PA  
18045

Attorneys: Charles Bruno,  
Esquire, Pfeiffer & Bruno,  
P.C., 203 South Seventh  
Street, Easton, PA 18042-4315

**GONTAR, PATRICIA**, dec'd.

Late of the Township of Beth-  
lehem, Northampton County,  
PA

Executrix: Mrs. Annette Co-  
rona c/o Kevin Frank Danyi,  
Esquire, Danyi Law Offices,  
P.C., 133 East Broad Street,  
Bethlehem, PA 18018

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

**HARTMAN, PETER MARK  
a/k/a PETER HARTMAN**,  
dec'd.

Late of Allen Township, North-  
ampton County, PA

Administrator: Dustin H.  
Hartman 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



**HENNING, DORIS MAE a/k/a  
DORIS M. HENNING a/k/a  
DORIS HENNING**, dec'd.

Late of the City of Bethlehem, Northampton County, PA  
Co-Executors: Carla D. Bailey and Gary W. Henning 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

**HOFFERT, TERRY J.**, dec'd.

Late of the Borough of Freemansburg, Northampton County, PA

Executor: James W. Hoffert, Jr. c/o Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018

Attorney: Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018

**HOUTZ, THOMAS W.**, dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executor: Mr. Arthur Houtz c/o Kevin Frank Danyi, Esquire, Danyi Law Offices, P.C., 133 East Broad Street, Bethlehem, PA 18018

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

**JONES, CLAUDE A.**, dec'd.

Late of Danielsville, Northampton County, PA

Executrix: Janice Ann Lawrence, 1441 Spring Drive, Walnutport, PA 18088

Attorneys: Peters, Moritz, Peischl, Zulick & Landes, LLP,

1 South Main Street, Nazareth, PA 18064

**KAMETZ, STEPHEN C.**, dec'd.

Late of Bethlehem, Northampton County, PA

Administrator: Robert R. Schuster, Esquire, 1204 Maple Street, Bethlehem, PA 18018

Attorney: Robert R. Schuster, Esquire, 1204 Maple Street, Bethlehem, PA 18018

**METZGER, THOMAS P.**, dec'd.

Late of the Township of East Allen, Northampton County, PA

Executrix: Rochelle J. Metzger, 3046 Oakland Drive, Northampton, PA 18067

Attorney: Martin D. Cohen, Esquire, Cohen & Feeley, 2851 Baglyos Circle, Suite 200, Bethlehem, PA 18020

**NOLL, MYRTLE MAE**, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: Dorothy R. Noll 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

**ORTWEIN, ROSE W.**, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Thomas A. Ortwein, Jr. c/o Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018

Attorney: Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018

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

Late of the City of Bethlehem, Northampton County, PA

Executrix: Jane A. Free c/o Alfred S. Pierce, Esquire, Pierce & Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

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

**WEIR, CATHERINE O.**, dec'd.  
Late of Bethlehem, Northampton County, PA  
Executor: Frank Bedic c/o Constantine M. Vasiliadis, Esquire, Kolb, Vasiliadis and Florenz, 74 W. Broad Street, Suite 170, Bethlehem, PA 18018-5738  
Attorneys: Constantine M. Vasiliadis, Esquire, Kolb, Vasiliadis and Florenz, 74 W. Broad Street, Suite 170, Bethlehem, PA 18018-5738

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

The name of the corporation is:

**ARMAAN DONUT III, INC.**

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

May 17

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed

with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, on May 1, 2007, for the purpose of obtaining a Certificate of Incorporation of a proposed business corporation to be organized under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended (15 Pa.C.S. §1306).

The name of the proposed corporation is:

**DANALLI ENTERPRISES, INC.**

Steven N. Goudsouzian, LLC  
2925 William Penn Highway  
Suite 301  
Easton, PA 18045-5283  
(610) 253-9171

May 17

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

The name of the corporation is:

**ELITE SUPERMARKET, INC.**

Marc S. Fisher, Esquire  
Worth, Magee & Fisher, P.C.  
515 Linden Street  
Third Floor  
Allentown, PA 18101

May 17

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business

Corporation Law of the Commonwealth of Pennsylvania, Act of December 21, 1988 (P.L. 1444, No. 177), by the following corporation:

The name of the corporation is:

**TERREY PROPERTY MANAGEMENT CO., INC.**

The Articles of Incorporation were filed on November 14, 2005.

GARY A. BRIENZA, ESQUIRE  
DIMMICH, DINKELACKER & BRIENZA

Suite 1  
2970 Corporate Court  
Orefield, PA 18069  
(610) 398-1800

May 17

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 Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the corporation is:

**TILE, STONE & BEYOND, LTD.**

Karl H. Kline, Esquire  
Karl Kline P.C.

2925 William Penn Highway  
Suite 301  
Easton, PA 18045-5283

May 17

**FICTITIOUS NAME REGISTRATION NOTICE**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act 295 of 1982, that an Application for Registration of a Fictitious Name was filed with the Department of State of the Commonwealth of Penn-

sylvania, at Harrisburg, Pennsylvania, and granted on April 9, 2007, registering the name of:

**THOMAS PAINE CHARTER SCHOOL**

with its principal place of business at a location to be determined in Northampton County, Pennsylvania. The name and address of the individual interested in said business is: Christopher P. Hoenscheid, 914 Liberty Street, Emmaus, PA 18049.

May 17

**LIMITED LIABILITY COMPANY NOTICES**

NOTICE IS HEREBY GIVEN that on February 26, 2007, Certificate of Organization was filed with the Pennsylvania Department of State for:

**STEVENS AUTOMATION & CONTROL SYSTEMS, LLC**

in accordance with the provisions of the Limited Liability Act of 1994 for the purpose of engaging in all lawful business for which corporations may be incorporated under said Act.

MICHELLE A. WINTER, ESQUIRE  
190 Bethlehem Pike  
Suite 4  
P.O. Box 564  
Colmar, PA 18915-0564  
(215) 822-5266

May 17

**TERREY COMPANY, LLC**

is being organized under the Limited Liability Company Law of 1994, 15 Pa.C.S. §8901 with its principal place of business at: 739 North New Street, #1, Bethlehem, PA 18018.

The names and addresses of all person/entity owning or interested in said business are: Herbert John Toy, III and Terrey Property Man-

agement Co., Inc., 739 North New Street, #1, Bethlehem, PA 18018.

GARY A. BRIENZA, ESQUIRE  
DIMMICH, DINKELACKER  
& BRIENZA

Suite 1  
2970 Corporate Court  
Orefield, PA 18069  
(610) 398-1800

May 17

**IN THE NORTHAMPTON  
COUNTY COURT OF  
COMMON PLEAS  
ORPHANS' COURT DIVISION**

The following Executors, Administrators, Guardians & Trustees have filed Accounts in the Office of the Orphans' Court:

ESTATE; Accountant

WINIFRED K. ANDREOLI;  
Dominic Andreoli, Executor

DOROTHY E. BURGER; Craig J. Burger and Cynthia A. Gleason, Co-Executors

JAMES C. DIEHL; Jean B. Diehl and Kirk B. Diehl, Co-Executors

**AUDIT NOTICE**

All Parties interested are notified that an audit list will be made up of all Accounts and the said list will be called for audit at the Northampton County Government Center, Easton, PA on: FRIDAY, MAY 25, 2007 AT 9:00 A.M. IN COURTROOM #1.

Dorothy L. Cole  
Clerk of Orphans' Court

May 10, 17

**FULL-TIME PARALEGAL**

Busy Easton Law Office seeks experienced Paralegal. Duties include filing Motions, Answers, Client Contact, Bankruptcy knowledge a plus. Benefits and Salary Neg., based on exp./ability. E-mail resume to Leinbachlaw@yahoo.com or fax (610) 252-0806.

May 17, 24

**The Law Office of  
PETERS, MORITZ, PEISCHL,  
ZULICK & LANDES, LLP  
is accepting applications for a  
LEGAL SECRETARIAL POSITION**

Skills needed: Computer skills, including proficiency in MS Word; strong public relations; phone skills; able to handle sensitive and confidential information. Job involves transcribing and production of documents.

Send Resume to:

James L. Zulick, Esquire

Mail: 1 S. Main St.

Nazareth, PA 18064

Fax: (610) 759-3892

E-mail: jljzd@choiceonemail.com

May 10, 17

**CHANGE OF NAME NOTICE**

NOTICE IS HEREBY GIVEN that on April 20, 2007, the Petition of Ellis T. Barily, Jr. was filed in the Northampton County Court of Common Pleas at No. C-48CV2007-3121, seeking to change the name of Petitioner from Ellis T. Barily, Jr. to Ellis Phillips.

The Court has fixed June 1, 2007, at 9:00 a.m., in Courtroom 1 at the Northampton County Courthouse, 669 Washington Street, Easton, Pennsylvania as the time and place for the Hearing of said Petition. All persons interested in the proposed change of name may appear and show cause, if they have any, why the prayer of the Petition should not be granted.

JOEL H. ZIEV, ESQUIRE

Attorney for Petitioner

700 Washington Street

Easton, PA 18042

(610) 250-0123

May 3, 10, 17

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

**QUIET TITLE**

IN RE: BRIAN C. WERKHEISER  
and CLAIRE WERKHEISER  
UNIMPROVED WOLF STREET  
ABUTTING TAX PARCEL NOS. K6  
10 1B-3 0503; K6NW3C 7 4A  
0503; and K6SW2B 1 1 0503

**No. C-48CV2007-3621**

**IMPORTANT NOTICE**

All potential interested parties an action to quiet title to premises situate in the Borough of Bath, County of Northampton, State of Pennsylvania, being known as Northampton County land of the unopened and unimproved Wolf Street abutting Northampton County tax parcels K6 10 1B-3 0503, K6NW3C 7 4A 0503, and K6SW2B 1 1 0503.

Any person or persons who think they may have any right, title and/or interest in said parcels are now compelled to commence an action in ejectment and upon your failure to commence such action, Plaintiffs will request an Order forever barring you from asserting any right, title and interest inconsistent with the interests of the Plaintiffs as set forth in their complaint. You are hereby notified to plead to said complaint within twenty (20) days.

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Notice and Complaint are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without

further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

LAWYER REFERRAL SERVICE  
155 South 9th Street  
Easton, PA 18042

Telephone: (610) 258-6333

ALAN D. WILLIAMS, III, ESQUIRE  
Attorney I.D. No. 37739

WILLIAMS AND SCHILDT

Attorneys for Plaintiffs

1007 West Broad Street  
Quakertown, PA 18951  
(215) 536-6512

May 17

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

The following real estate will be sold by the Sheriff of Northampton County, Pennsylvania, on June 8, 2007 at ten o'clock a.m. in the JURY LOUNGE, FIRST 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-2006-008754**

ALL THAT CERTAIN parcel of land situate in the Township of

Palmer, County of Northampton and State of Pennsylvania, being Lot No. 3 as shown on Plan of Hillview Terraces as laid out by John MacNeil, 3rd, civil engineer, and recorded in the Northampton County Recorder's Office in Plan Book 22, on Page 21, bounded and described as follows:

BEGINNING at an iron pipe on the West side of Anna Drive, said pipe being at the northeast corner of Lot No. 2 as shown on the above mentioned Plan of Hillview Terraces: (1) Thence along the West side of Anna Drive by a curve to the left having a radius of 100.00 feet, 78.35 feet to an iron pipe; (2) Thence along Lot No. 4, South 49 degrees 40 minutes 30 seconds West 210.54 feet to an iron pipe; (3) Thence along land now or formerly of Lewis Miller, North 04 degrees 21 minutes East, 220.00 feet to an iron pipe; (4) Thence along Lot No. 2, South 85 degrees 26 minutes East, 120.00 feet to an iron Pipe, the place of beginning.

BEING PARCEL NO. L8sel-7-1C-1B.

BEING KNOWN AS 20 Devon Drive (aka Lot 3 Anna Drive), Easton, PA.

Also known as Northampton County Uniform Parcel Identifier: Map L8sel Lot: 7 Block: 1C-1B.

Title is vested in James R. Jennings, Jr., be Deed from Melanie McIntosh a/k/a Melanie L. McCoy, Executrix et al, dated 10/30/2000 and recorded 11/3/2000 in Volume 2000-1, Page 145996.

THEREON BEING ERECTED a cape 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 James R. Jennings, Jr. a/k/a James R. Jennings.

CRAIG H. FOX, ESQUIRE

**No. 2  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-006877**

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

BEGINNING at a point on the south side of Walnut Street, said point being 210 feet distant from the southwest intersection of Walnut Street and proposed Park Avenue; THENCE along land now being conveyed to Jennie Jannette South 15 degrees 33 minutes East 120 feet to a point and land of grantors; THENCE along land of the grantors South 74 degrees 27 minutes West 156.07 feet to a point on line now of George Strouss; THENCE along land of George Strouss North 13 degrees 01 minutes East 136.64 feet to a point on the south side of Walnut Street; THENCE along the south side of Walnut Street North 74 degrees 27 minutes East 90.75 feet to the place of beginning.

BEING KNOWN AS: 1040 Walnut Street (Washington Township) Bangor, PA 18013.

PROPERTY ID NO.: E9NE4A-6-6.

TITLE TO SAID PREMISES IS VESTED IN Wayne B. Szucs and Sadie Szucs by Deed from Jeffrey W. McCammon and Gayle D. McCammon dated 1/14/04 recorded 1/20/04 in Deed Book 2004-1 Page 21735.

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

SEIZED AND TAKEN into execution of the writ as the property of Wayne B. Szucs and Sadie C. Szucs.

MARK J. UDREN, ESQUIRE

**No. 3**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2007-000062**

ALL THAT CERTAIN messuage, tenement and lot or piece of ground situate on the Southerly side of Embur Terrace, known as 4306 Embur Terrace, in the Township of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, as shown on a Subdivision Plan of Embur Terrace, Lot No. 39, as recorded in Map Book 13, page 68, in Northampton County Recorder of Deeds Office in Easton, and more recently shown on a survey plan prepared by Kenneth R. Hahn, R.S., Drawing No. 80-93, dated March 19, 1980, bounded and described as follows:

BEGINNING at a point on the Southerly right-of-way line of Embur Terrace, (50 feet wide) said point being further located 267.66 feet Southwesterly of the West right-of-way line of Sheridan Drive, (extended); thence along the Westerly property line of Lot No. 38, South 30 degrees 04 minutes 58 seconds East, 99.63 feet to a point; thence extending along the Northerly property line of Lot No. 41 of aforesaid plan, South 69 degrees 22 minutes 15 seconds West, 43.41 feet to a point; thence extending along the Easterly property line of Lot No. 40 of said plan, North 67 degrees 01 minute West, 83.06 feet to a point on the Southerly right-of-way line of Embur Terrace, thence extending along the Southerly right-of-way line of Embur Terrace in a North-easterly direction along a curve to

the right having a radius of 181.32 feet an arc distance of 98.00 feet to the place of beginning.

PARCEL IDENTIFICATION NO: M8SE1-9-21.

TITLE TO SAID PREMISES IS VESTED IN Jagdish Mehta and Pratima Mehta, his wife, by Deed from Ray Bayless and Dolores E. Bayless, his wife and Gertrude Bayless, single, dated 03/31/1980, recorded 04/01/1980, in Deed Book 613, page 76.

Premises being: 4306 EMBUR TERRACE, EASTON, PA 18045.

Tax Parcel No. M8SE1-9-21.

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

SEIZED AND TAKEN into execution of the writ as the property of Jagdish Mehta a/k/a Jagdish M. Mehta and Pratima Mehta a/k/a Pratima J. Mehta.

DANIEL G. SCHMIEG, ESQUIRE

**No. 4**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2007-000100**

ALL THOSE CERTAIN lots or pieces of land, with the messuage or tenement No. 812 Pembroke Road thereon erected, situate, lying and being in the 15th Ward of the City of Bethlehem, County of Northampton and State of Pennsylvania, and designated as Lots No. 465 and 466, according to a certain map or plan entitled "Revised Plan of Minor Trail Farm, Property of John F. Stefko, May 1925, James H. Hesley, Surveyor, Bethlehem, Pa." and said plan being recorded in the Office for the Recording of Deeds at Easton, in and for the County of Northampton aforesaid, in Map Book No. 9, Page 71, the

said lots being more particularly bounded and described as follows, to wit.

BEGINNING at a point in the southerly line of Pembroke Road at a distance of tree hundred fifty-seven and thirty-six one-hundredths (357.36) feet west from the point of intersection of the southerly line of said Pembroke Road with the north-westerly line of Newton Avenue, thence extending westwardly along said southerly line of Pembroke Road a distance of forty (40) feet to a point and of that same width of forty (40) feet extending southwardly between parallel lines at right angles to said Pembroke Road, a distance of one hundred twenty (120) feet to the northerly line of a certain unnamed fifteen (15) feet wide alley.

BOUNDED on the north by Pembroke Road; on the east by Lot No. 464, according to plan aforesaid, on the south by the unnamed fifteen (15) feet wide alley aforementioned, and on the west by Lot No. 467, according to plan aforesaid.

TITLE TO SAID PREMISES is vested in Eugene G. and Margaret S. Snyder by Deed from Maryann Hancharick, Widow dated 10/29/1987 and recorded 11/3/1987 in Deed Book 737 page 534.

BEING KNOWN AS 812 Pembroke Road, Bethlehem, Pennsylvania.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: N6SE3C-13-3.

TITLE TO SAID PREMISES IS VESTED IN Arthur Dale Baker, Jr., by Deed from Federal National Mortgage Association, dated 03/01/1993, recorded 05/13/1993, in Deed Book 895, page 420.

Premises being: 812 PEMBROKE ROAD, BETHLEHEM, PA 18018.

Tax Parcel No. N6SE3C-13-3.

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 Terry Baker a/k/a Terry Lee Baker and Arthur Dale Baker, Jr. a/k/a Arthur D. Baker, Jr.

DANIEL G. SCHMIEG, ESQUIRE

**No. 5**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2007-000300**

All those certain lots or pieces of land situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, being Lots No. 56, 57, 58 and 59, on an unrecorded plan entitled 'Building Lots, property of Savercool & Wright, Bethlehem Township, Northampton County, Pennsylvania, dated November, 1915', referred to in previous conveyances as 'Bethlehem Annex Tract A', bounded and described as follows:

Beginning at a point three hundred feet (300 feet) Northeastwardly from the Northwest corner of Myrtle Street and Brown Streets; thence extending Northeastwardly along the Western line of Brown Street, a distance of eighty feet (80 feet) to a point; thence extending Northwestwardly one hundred nine feet (109 feet) to a point; thence extending Southwestwardly eighty feet (80 feet) to a point; thence extending Southeastwardly one hundred nine feet (109 feet) to a point, the place of beginning.

**EXCEPTING AND RESERVING:**

All that certain portion of lots or strip of ground situate along the west side of Brown Street between Myrtle and North Boulevard in the Fourteenth (14th) Ward, City of Bethlehem, County of Northampton, Com-



monwealth of Pennsylvania, and being the easterly eight (8.0) feet of Lots 56 and 59 inclusive, according to the map or plan entitled 'Building Lots, Property of Savercool and Wright (also known as Bethlehem View Annex), Bethlehem Twsp., Northampton County, Pennsylvania, Scale: 1 inch = 100 feet, November 1915', also being known as #2415 Brown Street according to the numbering system of the City of Bethlehem, bounded and described as follows, to wit:

Beginning at a point on the westerly street line of Brown Street, thirty (30.0) feet wide, said point being distant three hundred (300.0) feet northwardly, along the westerly street line of Brown Street from the intersection of the westerly street line Brown Street with the northerly street line of Myrtle Street, forty (40.0) feet wide; thence extending northwardly along the westerly street line of Brown Street a distance of eighty (80.0) feet to a point; thence extending westwardly in and along Lot #55 according to said plan a distance of eight (8.0) feet to a point; thence extending southwardly in and through Lots #56 to 59 inclusive, according to said plan, lands of Elsie M. Ogden, of which this conveyance is a part, a distance of eighty (80.0) feet to a point, thence extending eastwardly along Lot #60 according to said plan, a distance of eight (8.0) feet to a point on the westerly street line of Brown Street, the point the place of beginning. Containing 640 square feet.

Bounded on the East by Brown Street; on the North by Lot #55, according to said plan, lands of Nicholas Zawarski; on the West by the westerly portion of Lots #56 to 59 inclusive, according to said plan;

lands of Elsie W. Ogden, and on the South by Lot #60, according to said plan, lands of Savilla Wright Minnich.

Vested by Special Warranty Deed, dated 12/11/1991, given by Elsie Rayden (formerly Elsie Wagner) and Lee A. Rayden, husband and wife to Elsie Rayden and Lee A. Rayden, husband and wife, as tenants by the entireties and recorded 12/13/1991 in Book 849 Page 519.

Premises being: 2415 BROWN STREET, BETHLEHEM, PA 18017.

Tax Parcel No. N7NW1C-13-9C.

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

SEIZED AND TAKEN into execution of the writ as the property of Elsie Rayden a/k/a Elsie Wagner Rayden and Lee A. Rayden a/k/a Lee Alan Rayden.

DANIEL G. SCHMIEG, ESQUIRE

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**No. 6**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2007-000298**

ALL THAT CERTAIN brick and stone dwelling house and lot situate at the Southwest corner of Eighteenth and Ferry Streets, in Wilson Borough, County of Northampton and Commonwealth of Pennsylvania, and containing in front on said Ferry Street, forty (40 feet) feet and extending southwardly along said Eighteenth Street, in depth of equal width, eighty-nine (89 feet) feet.

BOUNDED on the North by said Ferry Street; on the East by said Eighteenth Street; on the South by property now or late of George I. Bissell, and on the West by Lot No. 155. It being Lot Nos. 153 and 154 on a plan of lots as laid out by the

Fairview Park Association, and now being known as 1800 Ferry Street.

PARCEL, IDENTIFICATION NO: L9SW2D-9-19.

TITLE TO SAID PREMISES IS VESTED IN Peter A. Cann, single, by Deed from Raymond F. Benensky and Elisabeth Benensky, husband and wife, dated 04/30/2003, recorded 04/30/2003, in Deed Book 2003-1, page 153376.

Premises being: 1800 FERRY STREET, EASTON, PA 18042.

Tax Parcel No. L9SW2D-9-19.

SEIZED AND TAKEN into execution of the writ as the property of Peter A. Cann.

DANIEL G. SCHMIEG, ESQUIRE

**No. 7**

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

**CV-2007-000139**

ALL THAT CERTAIN lot of land or piece of ground, with the single frame house, together with all other improvements erected thereon, situated on the South side of Ferry Street, Sixth Ward, in the City of Easton, County of Northampton and State of Pennsylvania and known as 918 Ferry Street, bounded and described as follows, to wit:

BEGINNING at a corner of a lot or piece of ground now or late of John F. Beck, marked No. 2 and said Ferry Street; thence Eastwardly along said Ferry Street twenty-six (26) feet, more or less, to ground now or late of the Estate of David D. Wagener, deceased; thence Southwardly along the same one hundred twenty-eight (128) feet six (6) inches, more or less, to a ten feet wide alley; thence Westwardly along said ten feet wide private alley, twenty-six (26) feet, more or less, to said lot or piece of ground now or late of the said John P. Back,

marked No. 2; thence Northwardly along the same one hundred twenty-eight (128) feet six (6) inches, more or less, to Ferry Street, the place of Beginning.

TITLE TO SAID PREMISES IS VESTED IN Kiyokie Cortes by Deed from Denise E. Wartz dated 4/26/04 recorded 04/27/04 in Book 2004-1 Page 154476.

Premises being: 918 FERRY STREET, EASTON, PA 18042.

Tax Parcel No. L9SE1D-10-10.

THEREON BEING ERRECTED 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 Kiyokie Cortes.

DANIEL G. SCHMIEG, ESQUIRE

**No. 8**

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

**CV-2007-000168**

ALL THAT CERTAIN tract, lot or piece of ground with the improvements thereon erected situate on the South side of Yost Road SR 4010 in the Borough of Chapman Quarries, Northampton County, Commonwealth of Pennsylvania and being Lot No. 2 of a Final Minor Subdivision for Arcangelo DiOdoardo, as prepared by Kenneth R. Hahn PLE on drawing No. 94-65 dated and last revised December 5, 1995, recorded on April 3, 1996, in Map Book 1996-5, page 60, bounded and described as follows:

BEGINNING at a point on the Southerly right of way line of Yost Road, SR 4010, said point also marking the Northwesterly property corner of now or formerly Peter Korpics, the following two, (2) courses and distances: (1) South 62 degrees 31 minutes 00 seconds

East, passing over an iron pipe at the Southerly ultimate right of way line of said road, a total distance of 285.25 feet to an iron pipe found; (2) South 68 degrees 07 minutes 00 seconds East, 286.85 feet to an iron pipe found; thence extending through and along Lot NO. 1 of now or formerly Southmoore Golf Course, South 18 degrees 36 minutes 13 seconds West 327.45 feet to an iron pin set in a concrete block on the top of an elevated slate spoils bank; thence extending along the top of aforesaid slate spoils bank and the Northerly property line of now or formerly Casilio, the following four, (4) courses and distances; (1) North 60 degrees 11 minutes 36 seconds West, 200.98 feet to an iron pipe found; (2) North 80 degrees 06 minutes 36 seconds West, 1,018.43 feet to a point; (3) South 42 degrees 32 minutes 23 seconds West, 156.39 feet to an iron pin found; (4) South 63 degrees 00 minutes 24 seconds West, 93.15 feet to an iron pin to be set; thence extending along the Easterly side of Delaware Avenue, (unopened) North 29 degrees 20 minutes 33 seconds West, 259.93 feet to a concrete monument to be set; thence extending along the Southerly right of way line of Yost Road, Sr 4010, the following eight (8) courses and distances; (1) North 35 degrees 47 minutes 34 seconds East, 157.02 feet to a point at the beginning of a curve; (2) extending along the arc of a circle curving to an arc length of 188.51 feet, a chord bearing North 17 degrees 30 minutes 36 seconds East, a chord length of 185.33 feet to a point at the end of a curve; (3) North 0 degrees 46 minutes 23 seconds West, 170.52 feet to a point at the beginning of a curve; (4) extending

along the arc of a circle curving to the right and having a radius of 172.49 feet, an internal angle of 100 degrees 50 minutes 09 seconds, a tangent of 208.64 feet, an arc length of 303.57 feet, a chord bearing North 49 degrees 38 minutes 42 seconds East, a chord distance of 265.88 feet to a point at the end of a curve; (5) South 79 degrees 56 minutes 14 seconds East, 64.64 feet to a point at the beginning of a curve; (6) extending along the arc of a circle curving to the right and having a radius of 338.50 feet, an internal angle of 52 degrees 36 minutes 14 seconds, a tangent of 167.31 feet, an arc length of 310.78, a chord bearing South 53 degrees 38 minutes 07 seconds East, a chord length of 299.98 feet to a point at the end of a curve (7) South 27 degrees 20 minutes 00 seconds East, 92.- feet to a point at the beginning of a curve; (8) thence extending along the arc of a tangent of 266.56 feet, an arc length of 452.67 feet, a chord bearing of South 65 degrees 8 minutes 26 seconds East, a chord length of 420.25 feet to a point, the place of BEGINNING.

BEING PARCEL # J6-5-26J 0507.

BEING KNOWN AS: 2529 5th Street (Borough of Chapman Quarries) Bath, PA 18014.

PROPERTY ID NO.: J6-5-26J.

TITLE TO SAID PREMISES IS VESTED IN Frank DiTaranto, Jr. and Georgette DiTaranto, husband and wife by Deed from Frank DiTaranto, Jr. dated 7/19/04 recorded 9/23/04 in Deed Book 2004-1 Page 369453.

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

SEIZED AND TAKEN into execution of the writ as the property of Frank DiTaranto, Jr. and Georgette DiTaranto.

MARK J. UDREN, ESQUIRE

**No. 9**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-010507**

ALL THAT CERTAIN frame mes-  
suage, and lot or parcel of land situ-  
ate on the North side of Juniper  
Road east of Birch Road, in the Bor-  
ough of Hellertown, Northampton  
County, Pennsylvania, being desig-  
nated as 927 Juniper Road accord-  
ing to Borough numbering, bounded  
and described as follows, to wit:

BEGINNING at an iron pin on the  
north side of Juniper Road, said  
iron pin being North 63 degrees 32  
minutes 5 seconds east 55.91 feet  
from the intersection of the north  
side of Juniper Road with the east  
side of Birch Road; thence along a  
lot proposed to be conveyed to Fred  
H. Ulrich, Jr., and Elizabeth Brown  
Ulrich north 23 degrees 33 minutes  
14 seconds west 119.42 feet to an  
iron pin; thence partly along lots  
proposed to be conveyed to James  
Russell Walter and Georgine Werst  
Walter and Leo H. Cowling and  
Louise B. Cowling, by a curve to  
the right with a radius of 225.06  
feet for an arc distance of 64.225  
feet, the chord of said curve bear-  
ing north 74 degrees 00 minutes  
38 1/2 seconds east for a distance  
of 64.04 feet to an iron pin; thence  
along a lot proposed to be conveyed  
to Raymond and Arlene Walter south  
18 degrees 04 minutes 14 seconds  
east 114.02 feet to an iron pin on  
the north side of said Juniper Road;  
thence along the north side of the  
same by a curve to the left with a

radius of 550.37 feet to an arc dis-  
tance of 52.67 feet the chord of said  
curve bearing north 69 degrees 11  
minutes 16 seconds west for a dis-  
tance of 52.65 feet to the place of  
beginning.

BEING lot no. 22 of Section A,  
Block 2, on Plan of Rentzheimer  
Farm Development, Mountainview,  
property of the Bethlehem Street  
Company, dated September, 1940,  
which is filed in the Office for Re-  
cording of Deeds, etc., in and for  
said Northampton County in Map  
Book Vol. 11, page 40.

PARCH, IDENTIFICATION NO:  
Q7SE1D-2-22

TITLE TO SAID PREMISES IS  
VESTED IN Rickey Delmore and  
Vicki A. Delmore, husband and wife,  
by Deed from Douglas G. Cappellini  
and Erica L. Cappellini, husband  
and wife, dated 05/23/2003, re-  
corded 05/23/2003, in Deed Book  
2003-1, page 188829.

Premises being: 927 JUNIPER  
ROAD, HELLERTOWN, PA 18066.

Tax Parcel No. Q7SE1D-2-22.

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

SEIZED AND TAKEN into execu-  
tion of the writ as the property of  
Rickey Delmore a/k/a Richard  
Delmore and Vicki A. Delmore  
a/k/a Vicki A. Thomas.

DANIEL G. SCHMIEG, ESQUIRE

**No. 10**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2007-000145**

All that certain tract or parcel of  
land situate, lying, and being in the  
Third Ward of the City of Easton,  
County Northampton, Common-  
wealth of Pennsylvania, bounded  
and described as follows:

Beginning at a point on the north side of Parker Avenue said point being the point of division between Lots numbered 69 and 70 according to the Plan of Villa Sites, Paxinosa Heights, as recorded in the Office for Recording of Deeds in and for Northampton County, at Easton, Pennsylvania, in Map Book 1, Page 19, 4 at page 25, and 6 at page 25; thence northwardly along Lots numbered 69 and 54, the property late of Wilson M. Skinner two hundred sixty (260) feet or more, to a point on the south side of Pennsylvania (formerly Paxinosa) Avenue; thence eastwardly along the south side of Pennsylvania Avenue seventy (70) feet to a point; thence southwardly along property now or late of Mary P. Lear and Floyd R. Lear two hundred sixty (260) feet, or more, to a point on the north side of Parker Avenue; thence westwardly along the north side of Parker Avenue seventy (70) feet to a point, the place of beginning.

TAX PARCEL NO: K9SE3-B350310.

BEING KNOWN AS 122 Parker Avenue, Easton, Pennsylvania.

SEIZED AND TAKEN into execution of the writ as the property of Anthony Skinner and Nysesher Skinner.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 12**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-009558**

ALL THAT CERTAIN lot or parcel of land situate in the Township of Bushkill County of Northampton and State of Pennsylvania being Lot No. 1 on the plan of the Resubdivision of lots 9 and 10 of the Subdivision of FOX HILL, as prepared by

East Penn Engineering Co., Inc., and recorded in the Office of the Recorder of Deeds in and for Northampton County at Easton, Pa. In Plan Book \_\_\_, Page \_\_\_, bounded and described as follows, to wit:

BEGINNING at a point in the Northerly edge of Orville's Road, said point also marking the Southwest corner of Lot 2; thence along the Northerly edge of Orville's Road along a curve to the left having a radius of 300.00 feet, a central angle of 34 degrees 55 minutes 30 seconds, and an arc length of 182.87 feet to a point of tangency; thence along same South 73 degrees 15 minutes 00 seconds West 15.75 feet to a point; thence along Lot A North 16 degrees 45 minutes 00 seconds West 50.00 feet to a concrete monument; thence along land now or late of Mary Mertz North 12 degrees 19 minutes 30 seconds East 214.50 feet to a concrete monument; thence along land now or late of Olive Lieberman North 73 degrees 15 minutes 00 seconds East 286.81 feet, thence along the aforementioned Lot 2 South 18 degrees 10 minutes 30 seconds West 355.53 feet to the place of Beginning.

IT BEING ALL THE SAME PREMISES which Michael A. Clause and Elaine M. Clause, husband and wife, by Deed dated 4/6/05 and recorded 4/11/05, in the Recorder of Deeds Office of Northampton County at Easton, Pennsylvania, in Deed Book 2005-1, Page 128271, granted and conveyed unto Sandor Szanati.

NORTHAMPTON COUNTY UNIFORM PARCEL ID NO.: G7-3-5F.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Sandor Szanati, by Deed

from Michael A. Clause and Elaine M. Clause, husband and wife, dated 04/06/2005, recorded 04/11/2005, in Deed Book 2005-1, page 128271.

Premises being: 152 ORVILLES ROAD, WIND GAP, PA 18091.

Tax Parcel No. G7-3-5F.

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

SEIZED AND TAKEN into execution of the writ as the property of Sandor Szanati.

DANIEL G. SCHMIEG, ESQUIRE

**No. 13**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-007814**

ALL that certain frame house and lot or piece of ground situate on the north side of Berwick Street, in the City of Easton, County of Northampton and State of Pennsylvania, known as No. 521 Berwick Street, containing in front on said Berwick Street 40 feet and extending northwardly in depth 140 feet to Hold Street. Bounded on the north by Holt Street; on the east by property now or late of Andrew Kinsey known as No. 511 Berwick Street; on the south by Berwick Street; and on the west by property now or late of Jane Davies, known as No. 525 Berwick Street, on the south by Berwick Street; and on the west by property now or late of Jane Davies, known as No. 525 Berwick Street. The property known as 521 Berwick Street is now known as 521 West Berwick Street.

TITLE TO SAID PREMISES IS VESTED IN William J. Grube, Jr. , son, by Deed from Janet E. Kriger, widow, dated 12-17-01, and recorded 12-26-01 in Deed Book 2001-1, page 279587.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SE4C-25-5.

BEING KNOWN AS 521 West Berwick Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Janet Kriger and William J. Grube, Jr.

DANIEL G. SCHMIEG, ESQUIRE

**No. 14**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2005-007203**

ALL THAT CERTAIN piece or parcel of land, together with the buildings erected thereon, situate, lying and being in the Eighth Ward, City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, being House Number 905 North New Street, bounded and described as follows:

BEGINNING at a point on the Westerly line of North New Street, a City Street eighty (80) feet in width, said point being distant thirty-six and ninety-five one-hundredths (36.95) feet on a course bearing North five degrees East (N. 5° E.) from the intersection of said Westerly line of North New Street and the Northerly line of West Goepp Street, a City Street seventy (70) feet in width; thence, along premises #903 North New Street North eighty-five degrees West (N. 85° W.) passing through the middle or party wall of a row house eighty-six (86) feet to a point; thence, along land of Quaker State Vending Company North five degrees East (N. 5° E.) thirteen and five one-hundredths (13.05) feet to a point; thence, along land of Leroy Larose, Jr. South

eighty-five degrees East (S. 85° E.) passing through the middle or party wall of a row house eighty-six (86) feet to a point; thence, along the Westerly line of North New Street South five degrees West (S. 5° W.) thirteen and five one-hundredths (13.05) feet to the place of beginning.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: P6NEIA-4-7A-1.

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

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

BARBARA A. FEIN, ESQUIRE

**No. 15**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-009305**

ALL THOSE CERTAIN tracts or parcels of land situate in the Township of Upper Mount Bethel, County of Northampton, and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

TRACT NO. 1: BEGINNING at a point in the public road leading from Martins Creek to Portland, said road known as Penna Route 611, which point is also a corner of lands, reputed to be formerly of Lester D. Rutt, Jr., now being owned by James A. Taylor, thence along lands of James A. Taylor, North 55 degrees 40 minutes 55 seconds West (at 22.44 feet passing a pipe) 132.00 feet to a pipe in line of lands formerly of Agnes Shaw, now owned by Norwood C. Hilliard, thence along lands of Norwood C. Hilliard, North 32 degrees 41 minutes 05 seconds East 57.19 feet to a pipe, said pipe being also a corner of lands now or formerly of Moses E. Doll, thence along lands now or formerly of

Moses E. Doll, South 5 degrees 23 minutes 05 seconds East (at 110.76 feet passing a railroad spike) 132.00 feet to a point in the above mentioned Penna. Route 611, thence in and along the said Penna. Route 611, South 32 degrees 39 minutes 48 seconds West 56.51 feet to the point of beginning. Containing 0.172 Acres.

TOGETHER with the right of way over a certain 10 feet wide driveway along the northern boundary of said premises, which right of way is described in the hereinafter recited deed.

TRACT NO. 2: BEGINNING at an iron pin, said iron pin being also a corner of lands now or formerly of John Clancy, thence along lands now or formerly of John Clancy, North 51 degrees 37 minutes 25 seconds West 223.24 feet to an iron pin in line of lands now or formerly of Edwin Correll, thence along lands now or formerly of Edwin Correll, North 29 degrees 00 minutes 00 seconds East 16.20 feet to a pipe, thence along the same, North 38 degrees 30 minutes 00 seconds East 117.88 feet to a pipe, said pipe being also a corner of lands now or formerly of Moses E. Doll, thence along lands now or formerly of Moses E. Doll, South 53 degrees 23 minutes 05 seconds East 211.74 feet to a pipe, said pipe being also a corner of lands of Norwood C. Hilliard, thence along lands of Norwood C. Hilliard and along lands of James A. Taylor, South 32 degrees 41 minutes 05 seconds West (at 57.19 feet passing a pipe) 141.06 feet to the point of beginning. Containing 0.689 Acres.

BEING KNOWN AS PARCEL NO. C11SE1-1-4.

Vested by Special Warrant Deed, dated 04/20/1990, given by James E. Weiler and Denise M. Weiler, his wife to Randy W. Johnson and Donna M. Johnson, husband and wife and recorded 4/25/1990 in Book 798 Page 468.

Premises being: 2580 NORTH DELAWARE DRIVE, MOUNT BETH-EL, PA 18343.

Tax Parcel No. CIISE 1-1-4.

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

SEIZED AND TAKEN into execution of the writ as the property of Donna M. Johnson a/k/a Donna M. Bailey a/k/a Donna M. Minervini and Randy W. Johnson.

DANIEL G. SCHMIEG, ESQUIRE

**No. 17**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2001-004241**

ALL THOSE CERTAIN Lots or pieces of land Situate in the Township of Plainfield, County of Northampton, and State of Pennsylvania, being all of Lot Nos. 128, 129, 130, 131, 132, 133 and the Western 3.66 feet of 134 and the Eastern 20 feet of 127 on Plan of Mt. View Development, dated March 4, 1957, recorded in Plan Book 13 at page 52, bounded and described as follows, to wit:

BEGINNING at a point on the South side of Elm Street, said point being North 85 degrees 47 minutes 20 seconds East 330 feet from the Southeast corner of Ann and Elm Streets; thence along the South side of Elm Street North 85 degrees 47 minutes 20 seconds East 173.66 feet; thence through Lot No. 134 South 4 degrees 12 minutes 40 seconds East 98.70 feet; thence South 85 degrees 47 minutes 20 seconds

West 173.66 feet; thence through Lot No. 127 North 4 degrees 12 minutes 40 seconds West 98.70 feet to the place of Beginning.

TITLE TO SAID PREMISES IS VESTED IN Thomas K. Densler Sr., married by Deed from Patricia L. Sanders, single dated 1/27/94, recorded 2/3/94, in Volume 1994-3, Page 4039.

Premises being: 548 NORMAN STREET, NAZARETH, PA 18064.

Tax Parcel No. G-8-15-21-5.

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

SEIZED AND TAKEN into execution of the writ as the property of Thomas K. Densler, Sr.

DANIEL G. SCHMIEG, ESQUIRE

**No. 18**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2007-000329**

PARCEL NO. 1:

ALL that certain piece, parcel or tract of land situate in the Township of Forks, County of Northampton and Commonwealth of Pennsylvania shown as Lot 100 on the Final Plan of Sullivan's March Phase 2, Section 3 as recorded in Map Book 92, Page 73B in the Office of the Recorder of Deeds for Northampton County at Easton, Pennsylvania, being further bounded and described as follows, to wit:

Beginning at a steel pin on the northerly right-of-way line of Mecro Road, said steel pin being the southwest corner of Lot 99 of Sullivan's March Phase 2, Section 3;

Thence along said northerly right-of-way line of Mecro Road South 84° 17' 42" West 105.00 feet to a steel pin on the southeast corner of Lot 101 (open space) of Sullivan's March Phase 2, Section 3;



Thence along said lands of Lot 101 (open space) of Sullivan's March Phase 2, Section 3 North 05° 42' 18" West 220.00 feet to a steel pin on the line of lands of Lot 219 (open space) of Sullivan's March Phase 2, Section 4;

Thence along said lands of Lot 219 (open space) of Sullivan's March Phase 2, Section 4 North 87° 17' 42" East 105.00 feet to a steel pin at the northwest corner of lands of Lot 99 of Sullivan's March Phase 2, Section 3;

Thence along said lands of Lot 99 of Sullivan's March Phase 2, Section 3 South 05° 42' 18" East 220.00 feet to a steel pin, the place of beginning.

Containing 23,100.00 square feet or 0.530 acre.

Said lot being subject to any and all drainage, utility and planting easements as shown on the final recorded plan.

Under and subject to Deed restrictions, easements and rights-of-way of record.

PARCEL NO. 2:

ALL that certain piece, parcel or tract of land situate in the Township of Forks, County of Northampton and Commonwealth of Pennsylvania shown as Lot 101 (open space) on the Final Plan of Sullivan's March Phase 2, Section 3 as recorded in Map Book 92, Page 73B in the Office of the Recorder of Deeds for Northampton County at Easton, Pennsylvania, being further bounded and described as follows, to wit:

Beginning at a steel pin on the northerly right-of-way of Meco Road; said steel pin being the southwest corner of Lot 100 in Sullivan's March Phase 2, Section 3;

Thence along said northerly right-of-way line of Meco Road South 84° 17' 42" West 111.35 feet to a steel pin;

Thence along the arc of a curve deflecting to the right having a radius of 40.00 feet and central angle of 87° 05' 07" for an arc length of 60.80 feet (chord: North 52° 09' 44" West 55.11 feet) to a steel pin on the easterly right-of-way line of Wagon Wheel Drive;

Thence along said easterly right-of-way line of Wagon Wheel Drive North 08° 37' 11" West 182.27 feet to a steel pin on a corner of lands of Lot 219 (open space) of Sullivan's March Phase 2, Section 4;

Thence along said lands of Lot 219 (open space) of Sullivan's March Phase 2, Section 4 North 84° 17' 42" East 160.57 feet to a steel pin at the northwest corner of Lot 100 of Sullivan's March Phase 2, Section 3;

Thence along said lands of Lot 100 of Sullivan's March Phase 2, Section 3 South 05° 42' 18" East 220.00 feet to a steel pin; the place of beginning.

Containing 33,787.56 square feet or 0.776 acre.

Said lot being subject to any and all drainage, utility and planting easements as shown on the final recorded plan.

Under and subject to Deed restrictions, easements and rights-of-way of record.

Parcel No. 1: Map: K9NW3 Block: 4 Lot: 27 Parcel No. 2: Map: K9NW3 Block: 4 Lot: 26.

BEING the same premises which Donald L. Weller, Jr. and Joann S. Weller, husband and wife, by Deed dated January 19, 2007 and recorded in the Office of the Recorder of Deeds of Northampton County on

February 16, 2006 in Deed Book Volume 2006-1, Page 66918, granted and conveyed unto Liliano Alvarez, unmarried.

BEING KNOWN AS 875 West Mecco Road, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Liliano Alvarez.

KRISTINE M. ANTHOU, ESQUIRE

**No. 19**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-006855**

ALL THAT CERTAIN tract or parcel of land situate in the Township of Moore, County of Northampton and Commonwealth of Pennsylvania, known as Lot No. 5, Jammond Estates, recorded in the Recorder of Deeds Office, Northampton County Court House, Plan Book 38, Pages 38 and 39, bounded and described as follows, to wit:

BEGINNING at a point along the easterly right-of-way line of James Avenue, (50 feet wide), said point being the southwesterly property corner of Lot No. 4; THENCE along the southerly property line of Lot No. 4, South 89 degrees 20 minutes 38 seconds East 188.40 feet to a point; THENCE along the westerly property line of lands now or late of Fred Jandl, South 03 degrees 01 minute 00 seconds West 248.00 feet to a point; THENCE along the northerly property line of Lot No. 6, North 81 degrees 20 minutes 46 seconds West 189.70 feet to a point; THENCE along the easterly right-of-way line of James Avenue the following three courses and distances: (1) along the arc of a curve

deflecting to the left having a central angle of 5 degrees 38 minutes 14 seconds, a radius of 220.00 feet, and a curve length of 21.64 feet to a point, (2) North 03 degrees 01 minute 00 seconds East 174.87 feet to a point; and (3) along the arc of a curve deflecting to the left having a central angle of 2 degrees 21 minutes 38 seconds, a radius of 610.00 feet, and a curve length of 25.14 feet to the point or place of beginning.

CONTAINING IN AREA 44, 102.10 SQUARE FEET.

TAX PARCEL NO. J5-18-3-3-0520.

PROPERTY ADDRESS: 234 JAMES AVENUE A/K/A RD 1 LOT #5 JAMOND ESTATES, NORTHAMPTON, PA 18067.

THEREON BEING ERECTED a split-level stucco dwelling w/attached two-car garage and shingle roof; detached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Marianne Mehalshick and Michael A. Mehalshick.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 21**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2007-000507**

All that certain property or unit situate, lying and being in the Township of Lower Saucon, County of Northampton and Commonwealth of Pennsylvania, being known as Building Number 20, Unit B 1 in Society Hill at Saucon Valley Condominium, a Condominium which has heretofore been submitted to the provisions of the Uniform Condominium Act 68 PA.C.S. 3101 et. seq. by the recording in the Office for the Recording of Deeds in and for the

County of Northampton of a Declaration of Condominium of Society Hill at Saucon Valley Condominium, dated May 31, 1990 and recorded on June 1, 1990, in Misc. Book 374 Page 18, et seq., and all amendments thereto, together with an undivided interest in the Common Elements appurtenant thereto as defined in such declaration, in accordance with and subject to the terms, limitations, conditions, covenants, restrictions, and other provisions of the Declaration as amended from time to time.

Being known as Northampton County Uniform Parcel Identifier Map Q7SW4-1-20B1.

BEING KNOWN AS 1894 Mansfield Street, Hellertown, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Mary Ellen Diggs.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

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**No. 22**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-010031**

ALL THAT CERTAIN message or tenement and lot or piece of ground situate on the south side of East Tenth Street, formerly Howertown Road, between Dewey Avenue and Siegfried Avenue in the Third Ward of the Borough of Northampton, County of Northampton, and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in line of lot of Charles Moyer; THENCE Westwardly along Tenth Street 20.00 feet, more or less, to a point in line of lot now or late of Edna E. Spitko;

THENCE southwardly through the middle of a party wall, 176.50 feet to a point on a 20 foot wide alley; THENCE eastwardly along the same, 20.00 feet, more or less, to a point in line of lot of Charles Moyer, being Lot No. 60; THENCE northwardly along the same, 176.50 feet to the place of beginning. BEING part of Lot No. 59 on Plan of Town Lots laid out by Amandes Young and recorded in said office in Map Book No. 1, Page 52.

BEING THE SAME PREMISES THAT John B. Faust and Cynthia M. Faust, husband and wife, by Deed dated 7/28/1986 and recorded 7/29/1986 in Northampton County in Deed Book 705 on Page 968 granted and conveyed unto Alfred J Weber, Jr. and Denise J. Faust, both single.

Dwelling known as 310 E. 10th Street, Northampton, PA 18067

IDENTIFIED as TAX/PARCEL ID#: M4NW2C-6-3 in the Deed Registry Office of Northampton County, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Alfred J. Weber, Jr. and Denise J. Faust a/k/a Denise J. Weber.

DANIEL J. MANCINI, ESQUIRE

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**No. 23**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-001974**

ALL THAT CERTAIN lots or parcel of land with dwelling and other buildings thereon standing situate on the western side of Somerset Street (50 feet wide St.) and lying in block between Monroe Street and Lincoln Avenue in the Borough of

Freemansburg, County of Northampton and Commonwealth of Pennsylvania; said land being comprised of four (4) full lots numbered 1191-1992-1193-1194 and the southern five (5) feet of lot 1195 shown on plan of clear and as marked out upon the ground and shown upon a certain plan bearing date of December 1, 1953, prepared by Daniel R. Cahill, registered professional engineer of 11 West Fourth Street Bethlehem, PA; and bounded and described as follows:

Beginning at a chirel mark in the present concrete foundation of fence, and marking the intersection point of the western line of Somerset Street with the Northern line of Lincoln Avenue; thence northwardly along the western side of Somerset Street a frontage distance of eighty-five (85) feet to an iron-pipe marking the northeastern corner of the described premisses and eastern end of a division line thru lot 1195, established by this conveyance thru and across the land of the grantors herein; thence extending of that same width between two parallel lines directed at right angles to Somerset Street, westwardly for a lot depth or distance of one hundred and twenty (120) feet to the eastern line of a certain (15) feet wide alley in the rear of the described premises, the northwestern corners of which are marked by iron pipes set by aforementioned recent survey, and containing a calculated area of 10,200 square feet of land.

Premises being bounded on the north by aforementioned division line; on the east by Somerset Street; on the south by Lincoln Avenue and on the west by aforementioned alley.

**RECORD OWNER**

Title to said premises is vested in Reggie Rolon, unmarried, by

Deed from Margaret V. Salabsky, dated 8-26-04, recorded 9-2-04, in Deed Book 2004-1 page 344430.

Being Known as 210 Somerset Street, Freemansburg, Pennsylvania.

Thereon being erected a two story single dwelling with aluminum siding exterior and shingle roof; detached two-car garage.

Seized and Taken into execution of the writ as the property Reggie Rolon.

**DANIEL G. SCHMIEG, ESQUIRE**

**No. 24**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2007-000568**

ALL THAT CERTAIN lot or piece of land with one half of a double brick dwelling house, SITUATE in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, known as 318 West Packer Avenue, bounded and described as follows, to wit:

BEGINNING at a point in the Southerly line of Packer Avenue, said point being in line with the exact middle of the party or partition wall dividing the premises hereby conveyed and the premises on the East, known as 316 West Packer Avenue; thence extending Westwardly along the Southerly line of West Packer Avenue, a distance of 24 feet, more or less, to a point; thence extending Southwardly of that same, with between parallel lines perpendicular to Packer Avenue (erroneously referred to as Carlton Avenue in prior deeds), a distance of 75 feet to land now or late of James Kresge, now marked by a high board fence, the Easterly line running through the exact middle of the party or partition wall dividing these premises with those on the East.

Being Parcel No. P6SW2C-23-3. Being the same premises which Herbert M. Lindner, III by Deed dated October 1, 2004 and recorded October 4, 2004 in the Office for the Recorder of Deeds in and for the County of Northampton County in Deed Book 2004-1 Page 364875, granted and conveyed unto Jason E. Hedrington, in fee.

SEIZED AND TAKEN into execution of the writ as the property of Jason E. Hedrington.

LAUREN R. TABAS, ESQUIRE

**No. 25  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2006-008780**

ALL THAT CERTAIN lot or parcel of land situate in the Borough of Bangor, County of Northampton and State of Pennsylvania, shown as Lot No. 1 on a Plan of a Subdivision of land for Gregory J. Adams and Christine Adams, being recorded in Plan Book 1998-5, Page 352, bounded and described as follows:

BEGINNING at a point on the northerly property line of Market Street, a corner also in land of Kalman and Frederica Panczar; thence along said land of Panczars North 5 Degrees 03 Minutes 00 Seconds East 121.51 feet to a point in the southerly line of Municipal Drive; thence along said Drive South 84 Degrees 38 Minutes 56 Seconds East 18.68 Feet to a point; thence along Lot No. 2 of the aforementioned subdivision, the following three courses and distances (1) passing through the concrete block garage South 5 Degrees 03 Minutes 00 Seconds West 22.99 Feet; (2) South 10 Degrees 49 Minutes 24 Seconds West 37.13 Feet; (3) passing through the center partition wall of the double dwelling South 5 De-

grees 19 Minutes 08 Seconds West 61.40 Feet to a point on the northerly line of Market Street; thence along said Market Street North 85 Degrees 17 Minutes 00 Seconds West 14.66 Feet to the place of beginning. Containing 1,961,109 square feet.

IT BEING the westerly one-half of the double dwelling and the westerly two-thirds of the three stall garage.

TAX PARCEL# E9NE2A-7-11A.

TITLE TO SAID PREMISES IS VESTED IN Brian O. Sullivan by Deed from Gregory J. Adams and Christine M. Adams, his wife, dated 12/24/1998 and recorded 1/22/1999 in Record Book 1999-1, Page 9233.

SEIZED AND TAKEN into execution of the writ as the property of Brian O. Sullivan.

MARTHA E. VON ROSENSTIEL,  
ESQUIRE

**No. 27  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2007-000567**

ALL THAT CERTAIN message, tenement and lot or piece of ground, Hereditaments and Appurtenances, SITUATE in the City of Bethlehem, formerly Borough of South Bethlehem, County of Northampton and State of Pennsylvania, on the Northwestern side of Pawnee Street, known as No. 754 Pawnee Street, bounded and described as follows, to wit:

BEGINNING at a point on the said Northwestern side of Pawnee Street 50 feet Northeast of the intersection of Fiot and Pawnee Streets; thence in a Northwestwardly direction in a line at right angles with Pawnee Street and parallel with Fiot Private Street 97.17 feet, more or

less, to a point in a 5 feet wide private alley; thence Southwestwardly along said alley 12 1/2 feet to a point in line of premises No. 756, the property now or late of Mary E. Schaffer; thence along the same in a Southeastwardly direction 97.17 feet, more or less, to a point on said Pawnee Street; thence along said Street Northeastwardly 12 1/2 feet to the place of beginning.

CONTAINING in front of said Pawnee Street 12 1/2 feet, and extending in depth of that same width 97.17 feet, more or less, to said 5 feet wide private alley.

BEING Parcel Identifier No. P6SW2D-3-6.

PARCEL IDENTIFICATION NO: P6SW2D-3-6.

TITLE TO SAID PREMISES IS VESTED IN Manuel Fernandez and Lanette Fernandez, by Deed from Robert J. DelPercio and Georgetanne DelPercio, dated 03/29/1995, recorded 07/05/1995, in Deed Book 1995-1, page 58931.

Premises being: 754 PAWNEE STREET BETHLEHEM, PA 18015.

Tax Parcel No. P6SW2D-3-6.

THEREON BEING ERECTED a two story brick row dwelling.

SEIZED AND TAKEN into execution of the writ as the property of Manuel Fernandez and Lanette Fernandez a/k/a Lanette A. Fernandez.

DANIEL G. SCHMIEG, ESQUIRE

**No. 28**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2007-000103**

ALL THAT CERTAIN lot or piece of ground situate in the Township of Hanover, County of Northampton and Commonwealth of Pennsylvania, known as Lot 23, on a certain subdivision map or plan entitled

"Pointe North Phase IV, Section 2" dated November 11, 1992, last revised May 5, 1993, prepared for Pointe Associates, Inc. by Great Valley Consultants, filed in the Northampton County Recorder of Deeds Office on August 13, 1993, in Map or Plan Book Volume 93, Pages 160 and 160A.

PARCEL IDENTIFICATION NO: M6NW2-7-12.

TITLE TO SAID PREMISES IS VESTED IN John G. Cavanagh, a single man, by Deed from Matthew W. Snyder and Lien-Hua R. Snyder, husband and wife, dated 09/30/2005, recorded 10/17/2005, in Deed Book 2005-1, page 407328.

Premises being: 5246 CHERYL DRIVE, BETHLEHEM, PA 18017.

Tax Parcel No. M6NW2-7-12.

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

SEIZED AND TAKEN into execution of the writ as the property of John G. Cavanaugh a/k/a John Gordon Cavanach.

DANIEL G. SCHMIEG, ESQUIRE

**No. 30**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2007-000397**

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

BEGINNING at a point on the western line Poplar Street, said point being South 40 degrees 4 minutes east/for a distance of two hundred thirty-four and sixty-two one-hundredths (234.62) feet from the south west corner of West 16th and

Poplar Streets, said point being also in line with the middle of the party wall between 1506 and 1608 Poplar Street; THENCE along the western line of Poplar Street South 40 degrees 4 minutes East for a distance of fifteen and fifty-three one-hundredths (15.53) feet to a stake in line of property no. 1504 Poplar Street; THENCE along line of property no. 1504 Poplar Street South 49 degrees 56 minutes West for a distance of one hundred thirty-six and fifty-seven one-hundredths (136.57) feet to a stake on the eastern line of a fifteen (15) feet wide alley; THENCE along said alley, North 44 degrees 30 minutes West for a distance of fifteen and fifty-seven one-hundredths (15.57) feet to a stake; THENCE along line of property 1508 Poplar Street North 49 degrees 56 minutes East for a distance of one hundred thirty-seven and seventy-eight one-hundredths (137.78) feet (extending for a portion of said distance through the middle of a party wall between 1506 and 1508 Poplar Street) to the place of beginning.

THE FORTH WARD of the Borough of Northampton, Northampton County and State of Pennsylvania, known as 1508 Poplar Street, bounded and described as follows to wit:

BEGINNING at a stake on the western line of Poplar Street located 219.09 feet on a course South 40 degrees 4 minutes East from the south western corner of the intersection of Popular and West 16th Streets; THENCE along the western line of Poplar Street South 40 degrees 4 minutes East for a distance of fifteen and fifty-three one-hundredths (15.53) feet to a point; THENCE South 49 degrees 56 min-

utes West and passing through the middle of a party wall between premises 1506 and 1508 Poplar Street for a distance of one hundred thirty-seven and seventy-eight hundredths (137.78) feet to a stake on the eastern line of a fifteen (15) foot wide alley; THENCE along said alley, North 44 degrees 40 minutes West for a distance of fifteen and fifty-seven hundredths (15.57) feet to a stake; THENCE North 49 degrees 56 minutes East for a distance of one hundred thirty-eight and ninety-eight hundredths (138.98) feet to the place of beginning.

TAX PARCEL NO: M4NW1B-10-15; M4NW1B-10-16.

BEING KNOWN AS 1506-08 Poplar Street, Northampton, Pennsylvania.

THEREON BEING ERECTED a two story double dwelling with aluminum siding exterior.

SEIZED AND TAKEN into execution of the writ as the property of Joseph Sperlbaum and Linda K. Sperlbaum.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 32**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2007-000511**

ALL THAT CERTAIN message or tenement, being half of a double frame dwelling-house and lot or piece of land situate on the East side of and known as No. 913 Lincoln Avenue, between Ninth and Tenth Street, in the Third Ward of the Borough of Northampton, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the East side of Lincoln Avenue in line of Lot No. 42, late the property of

Amandes Young, thence along said lot Eastwardly one hundred fifty (150 feet) feet to a point on the West side of a twenty (20 feet) feet wide alley, thence along said alley Northwardly twenty-five (25 feet) feet to a point in line of lot now or late of Edward F. Lorah, thence along said lot Westwardly, passing through the middle of a party wall, one hundred fifty (150 feet) feet to a point on the East side of Lincoln Avenue, thence along Lincoln Avenue Southwardly twenty-five (25 feet) feet to the place of beginning; being the Southerly half of Lot No. 41 on a Plan of lots laid out by Amandes Young, recorded in Map Book No. 2, Page 52.

PARCEL IDENTIFICATION NO: M4NW2C-5-14.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Scott S. Lewis, unmarried, by Deed from Beneficial Savings Bank, dated 04/22/1999, recorded 05/05/1999, in Deed Book 1999-1, page 64 125.

Premises being: 913 LINCOLN AVENUE, NORTHAMPTON, PA 18067.

Tax Parcel No M4NW2C-5-14.

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

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

DANIEL G. SCHMIEG, ESQUIRE

**No. 33**

**BY VIRTUE OF A CERTAIN**

**WRIT OF EXECUTION**

**CV-2004-006187**

ALL THOSE CERTAIN lots, tracts or parcels of land situate in the Township of Washington, Northampton County, Pennsylvania, bounded and described as follows:

TRACT NO. 1:

BEGINNING at a stone in the road leading from Martins Creek to Ackermanville; thence along said road South twenty-five degrees and one-quarter East fourteen and two-tenths perches to a stone in said road, corner of the school house lot; thence by said school house lot, eighty-six and three-quarter degrees West thirteen perches to a stone; thence by land of Michael Hinkle, North forty degrees West eleven and five-tenths perches to a point in line of land now conveyed by Mrs. Martin Gruver; thence by land of said Mrs. Martin Gruver, North seventy-two degrees East fifteen and two-tenths perches to a stone in the road, the place of BEGINNING.

CONTAINING one acre and two perches.

TRACT NO. 2:

BEGINNING at a point in the public road leading from Ackermanville to Martins Creek, thence by land of William Brittain South eighty-six degrees West thirteen and four-tenths perches to a stone corner, thence by land of John Farrow, South thirteen and three-quarter degrees East two and eight-tenth perches to a post, North eighty-six degrees East sixteen perches and one-half to a point in aforesaid road, thence through the middle of said road North fifty-seven and one-half degrees West four and six-tenth perches to the place of BEGINNING.

CONTAINING forty-one and three-quarter perches, strict measure.

THE dwelling erected thereon known as 2469 Ackermanville Road, Washington Township, Northampton County, Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Jeffrey H. Grau, un-



married and Geraldine P. Bruce, unmarried, as joint tenants with the right of survivorship by Deed from Federal Home loan Mortgage Corporation dated 4/8/1999 and recorded 4/12/1999 in Volume 1999/1 Page 049934.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: G9-9-3,

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

SEIZED AND TAKEN into execution of the writ as the property of Jeffrey H. Grau and Geraldine P. Bruce.

DANIEL G. SCHMIEG, ESQUIRE

**No. 34**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2000-007898**

ALL THAT CERTAIN piece, parcel or tract of land together with the improvements thereon erected, being known as No. 3339 Delps Road, specifically including the 1997 Redman Mobile Home which is a titled vehicle identified as Pennsylvania Department of Transportation VIN #12230337, Title #50075542301DA, and upon which Plaintiff holds a lien and security interest, which mobile home is permanently affixed to the land and assessed by the Northampton County Tax Assessment Office as part of the premises, situate in the Township of Moore, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the legal centerline of Delps Road (T.R. 555), said point being located South eighty-two (82) degrees twenty-eight (28) minutes twenty-one (21) seconds East forty-two and fifty-seven

one-hundredths (42.57) feet from a concrete monument set along the northwesterly right-of-way of Delps Road, said concrete monument being a point in the lands now or late of Waynard M. Neff, Jr., and Melody G. Neff; thence South eighty-two (82) degrees twenty-eight (28) minutes twenty-one (21) seconds East thirty-six and eighteen one-hundredths (36.18) feet to a point located along the southerly right-of-way of Delps Road; thence South eighty-two (82) degrees twenty-eight (28) minutes twenty-one (21) seconds East twenty-six and twelve one-hundredths (26.12) feet to an iron pin found, said point being a corner in the lands now or late of Jack M. Potts and Michelle C. Potts; thence along the lands now or late of Jack M. Potts and Michelle C. Potts, South four (4) degrees eight (8) minutes twenty-seven (27) seconds East eight hundred eighty and thirty-six one-hundredths (880.36) feet to a point, said point being a corner in the lands now or late of Raymond G. Kleintop, Jr., and Doris E. Kleintop; thence along the lands now or late of Raymond G. Kleintop, Jr., and Doris E. Kleintop, the following four (4) courses and distances: (1) North seventy-eight (78) degrees forty-six (46) minutes five (5) seconds West three hundred eighty-nine and seventy-six one-hundredths (389.76) feet to a point; (2) South eight (8) degrees zero (0) minutes nine (9) seconds East one hundred forty-five and thirty-five one-hundredths (145.35) feet to a point; (3) South eighty-six (86) degrees fifty-six (56) minutes forty-four (44) seconds West four hundred seventy-four and seventeen one-hundredths (474.17) feet to a point; and (4) North twenty-one (21)

degrees thirty-six (36) minutes forty-five (45) seconds West three hundred thirty-nine and sixty-three one-hundredths (339.63) feet to a point, said point being located along the legal centerline of Delps Road; thence along the legal centerline of Delps Road the following four (4) courses and distances: (1) North eighty-seven (87) degrees thirteen (13) minutes twenty-four (24) seconds East three hundred ninety and eighty-one one-hundredths (390.81) feet to a point, said point being a point of curvature; (2) along the curve to the left having a radius of three hundred thirteen and ten one-hundredths (313.10) feet and an internal angle of eighty (80) degrees thirty-eight (38) minutes twenty-four (24) seconds, a length of four hundred forty and sixty-seven one-hundredths (440.67) feet to a point, said point being a point of tangency; (3) North six (6) degrees thirty-five (35) minutes East one hundred ninety-seven and eight one-hundredths (197.08) feet to a point, said point being a point of curvature; (4) along a curve to the right having a radius of two hundred fifteen and fifty-one one-hundredths (215.51) feet and an internal angle of fifty-nine (59) degrees twenty-six (26) minutes twenty-six (26) seconds a length of two hundred twenty-three and fifty-eight one-hundredths (223.58) feet to a point, said point being the place of beginning.

CONTAINING three hundred ninety-nine thousand five hundred ninety-seven and ninety-four one-hundredths (399,597.94) square feet or nine and one hundred seventy-four one-thousandths (9.174) acres.

BEING THE SAME PREMISES which Terry L. Green and Shirley

C. Green, husband and wife, by Deed dated April 26, 1996 and recorded in Record Book Vol. 1996-1, Page 043002, Northampton County records, granted and conveyed unto Homer R. Daney.

NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: MAP: H4, BLOCK: 7, LOT: 1

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 Homer R. Daney.

STEVEN J. ADAMS, ESQUIRE

**No. 35**

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

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

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

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

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

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

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

PINA S, WERTZBERGER,  
ESQUIRE

**No. 37**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-009567**

ALL THAT CERTAIN tract of land situate in the Township of Moore, County of Northampton, and Commonwealth of Pennsylvania bounded and described as follows, to wit:

BEGINNING at a cherry tree on the East side of a public road leading from Allentown to Wind Gap; thence by land now or late of William Kerchner South sixty degrees East one hundred and twenty perches and three quarters to a post; thence by the same and land now or late of Jeremiah Edelman and by land now or late of Christian Fehnel, South thirty-one and a half degrees East, forty-six perches to a stone, thence by land now or late of Mary Belzman, North twenty-nine and a half degrees East, sixty perches to a stone, thence partly by the same and partly by land of Harvey S. Fogel, North three quarters degrees East, fifty-one perches and one quarter to a stone, in the road, thence by land of Calvin Werkheiser, and by land now or late of Mathew Williams, North sixty-one

degrees West, ninety-one perches and one tenth to a stone, in the road, thence North fifty-one and a quarter degrees West, fifty-three perches and ninety-six one hundredths to a corner of school house M.G.; thence by said lot South thirty-nine and three quarters degrees West, four and three quarter perches to a stone; thence North seventy and three quarters degrees West five perches and three tenths to a post, thence by land late of Joseph Horner South nineteen and a quarter degrees West, twenty-seven and three tenths perches to a stone in the road; thence South twenty-two and a half degrees West fifty and sixty-five one hundredths perches to a post in the middle of said road and thence South eight degrees West eight perches to the place of BEGINNING.

CONTAINING eighty-six acres and one hundred and twenty-two perches of land, strict measure, be the same more or less.

EXCEPTING AND RESERVING THEREFROM all that certain lot containing forty-nine and fifty-two one-hundredths (49.52) perches, strict measure conveyed unto Elliott H. Schlegel and Helen A. Micolochick, dated 8/30/83 and recorded in Northampton County Deed Book 654, Page 832.

BEING THE SAME PREMISES which DePalo Builders, LLC, by Deed dated March 24, 2005 and recorded on the same date, in the Office of the Recorder of Deeds in and for the County of Northampton at Deed Book Volume 2005-1, Page 104411, granted and conveyed unto Justin Homes, LLC, its heirs and assigns.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NO. J6-11-2.

BEING KNOWN AS Keeler Road, Bath, Pennsylvania.

SEIZED AND TAKEN into execution of the writ as the property of DePalo Builders, LLC, as mortgagor and Justin Homes LLC, as real owner.

THOMAS E. REILLY, JR.,  
ESQUIRE

**No. 39**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2007-000206**

TRACT 1

ALL THAT CERTAIN message, tenement and lot or piece of land situate on the Northerly side of East Third Street between Trone and Hobart Streets in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, known as 1141 East Third Street, according to present city numbering, bounded and described as follows:

BEGINNING at a point on the Northerly side of East Third Street distant 18.24 feet Eastwardly from the intersection of said Northerly side of East Third Street with the Easterly side of Trone Street and in line with the middle of the partition wall located between the dwelling on the premises herein conveyed and the building on the premises to the West;

THENCE extending North 05 degrees 37 minutes East and passing through the middle of said partition wall, a distance of 29.41 feet to a point;

THENCE extending South 84 degrees 23 minutes East and parallel to East Third Street, a distance of 0.18 feet to a point;

THENCE extending North 05 degrees 37 minutes East and passing through the middle of said par-

tion or party wall, a distance of 10.62 feet to a point;

THENCE extending North 84 degrees 23 minutes West, parallel to East Third Street, a distance of 0.15 feet to a point;

THENCE extending North 05 degrees 37 minutes East and passing through the middle of said partition wall, a distance of 46.85 feet to a point on the Northerly side of a 5-foot wide private alley;

THENCE extending South 84 degrees 23 minutes East along the Northerly side of said private alley, a distance of 15.42 feet to a point;

THENCE extending South 05 degrees 22 minutes West and passing through the middle of the partition of the party wall located between the dwelling on the premises herein conveyed and the dwelling on the premises to the East, Tract 2, 1143 East Third Street, a distance of 86.88 feet to a point on the Northerly side of East Third Street;

THENCE extending North 84 degrees 23 minutes West along the Northerly side of East Third Street, a distance of 15.83 feet to a point, the place of BEGINNING.

BOUNDED on the West by property now or late of Benedict H. Birkel, North by property now or late of Donato A. Saurino, East by Tract 2, 1143 East Third Street, and South by East Third Street.

HAVING erected thereon a dwelling known and numbered as 1141 East Third Street, Bethlehem, Northampton County, Pennsylvania, according to the present system of city numbering.

UNDER AND SUBJECT to the perpetual right of ingress, egress and regress in and over a 5-foot wide private alley extending from the East side of Trone Street Eastwardly a

distance of 48 feet, more or less, in common with the owners, tenants and occupiers of land abutting and adjoining said 5-foot wide private alley on the South side of East end thereof.

BEING PARCEL NUMBER P6NE3C-5-28A.

TRACT 2

ALL THAT CERTAIN messuage, tenement and lot or piece of land situate on the Northerly side of East Third Street between Trone and Hobart Streets in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, known as 1143 East Third Street according to present city numbering, bounded and described as follows:

BEGINNING at a point on the Northerly side of East Third Street distant 34.07 feet Eastwardly from the intersection of the Northerly side of East Third Street with the Easterly side of Trone Street and in line with the middle of the partition wall located between the dwelling on the premises herein conveyed and the dwelling on the premises to the West;

THENCE extending North 05 degrees 22 minutes East and passing through the middle of said partition or party wall, a distance of 86.88 feet to a point on the Northerly side of a 5-foot wide private alley;

THENCE extending South 84 degrees 23 minutes East along the Northerly side of said 5-foot wide private alley, a distance of 15.76 feet to a point;

THENCE extending South 05 degrees 37 minutes West and passing through the partition or party wall located between the dwelling

on the premises herein conveyed and the dwelling on the premises to the East, a distance of 86.88 feet to a point on the Northerly side of East Third Street;

THENCE extending North 84 degrees 23 minutes West along the Northerly side of East Third Street, a distance of 15.38 feet to a point, the place of BEGINNING.

BOUNDED on the West by Tract 1, 1141 East Third Street, North by property now or late of Donato A. Saurino, East by property now or late of Joseph F. Bukice and South by East Third Street.

HAVING erected thereon a dwelling known and numbered as 1143 East Third Street, Bethlehem, Northampton County, Pennsylvania, according to the present system of city numbering.

UNDER AND SUBJECT to the perpetual right of ingress, egress and regress in and over a 5-foot wide private alley extending from the East side of Trone Street Eastwardly a distance of 48 feet, more or less, in common with the owners, tenants and occupiers of land abutting and adjoining said 5-foot wide private alley on the South side of East end thereof.

BEING PARCEL NUMBER P6NE3C-5-28.

BEING THE SAME PREMISES which Milton H. Rivera, by Deed dated July 20, 2004 and recorded in the Office of the Recorder of Deeds of Northampton County on August 11, 2004 in Deed Book Volume 2004-1, Page 314438, granted and conveyed unto Juan A. Ramirez.

THEREON BEING ERECTED at 1141 East Third Street a two story brick row dwelling with shingle roof.

THEREON BEING ERECTED at 1143 East Third Street a two story brick row dwelling with shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Juan A. Ramirez.

KRISTINE M. ANTHOU, ESQUIRE

**No. 40**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-010533**

ALL THAT CERTAIN piece or parcel of land shown as Lot 10 on the Preliminary/Final Plan of Summerglen, prepared by Keystone Consulting Engineers, Inc., recorded May 13, 2004, in the Northampton County Recorder of Deeds Office in Map Book Volume 2004-1, Page 249, being more described as follows:

BEGINNING at a point on the eastern right of way line of Walker Drive (25.00 feet from center), said point also being the southwest corner of the lot herein described; thence along the eastern right of way line of Walker Drive North 35 degrees 53 minutes 49 seconds East a distance of 90.00 feet to a point; thence along Lot 9 South 54 degrees 06 degrees 11 seconds East a distance of 133.50 feet to a point; thence along Lots 15 and 14 South 35 degrees 53 minutes 49 seconds West a distance of 90.00 feet to a point; thence along Lot 11 North 54 degrees 06 minutes 11 seconds West a distance of 133.50 feet to a point; place of beginning.

CONTAINING 12,015 square feet (0.276 acres) of land, more or less.

BEING KNOWN AS 119 Walker Drive, Northampton, Allen Township, Northampton County, Pennsylvania.

Northampton County Tax Parcel M4 3 4-10.

BEING PART OF THE SAME PREMISES which Lehigh Grains, Inc. f/k/a Sunny Slope Farms, Inc., Jaindl Land Company by Deed dated May 6, 2004, and recorded May 18, 2004, in Deed Book Volume 2004-1, page 188033, granted and conveyed unto T.H. Properties, L.P., Grantor herein.

PREMISES BEING 119 WALKER DRIVE.

Tax Parcel No. M4-3-4-10.

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

SEIZED AND TAKEN into execution of the writ as the property of Samuel A. Pena and Judy Pena a/k/a Judy Y. Pena.

DANIEL G. SCHMIEG, ESQUIRE

**No. 41**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2007-000058**

All that certain piece, parcel or tract of land situate in the Township of Forks, County of Northampton and Commonwealth of Pennsylvania, shown as Lot 33 on the Final Plan of Lafayette Meadows as recorded in Map Book \_\_\_, Page \_\_\_ in the Office of the Recorder of Deeds for Northampton County at Easton, Pennsylvania and being further bounded and described as follows, to wit:

Beginning at a point on the southerly right-of-way line of Kirkland Road (50 feet wide) at the northeast corner of Lot 34 of Lafayette Meadows;

thence along said southerly right-of-way line of Kirkland Road (50 feet wide) North 77 degrees-02 minutes-12 seconds East 106.00 feet to a point at a corner of Lot 32 of Lafayette Meadows;

thence along said lands of Lot 32 of Lafayette Meadows South 12 degrees-57 minutes-48 seconds East 140.00 feet to a point;

thence South 77 degrees-02 minutes-12 seconds West 106.00 feet to a point at a corner of Lot 34 of Lafayette Meadows;

thence along said lands of Lot 34 of Lafayette Meadows North 12 degrees-67 minutes-48 seconds West 140.00 feet to a point, the place of Beginning.

Containing 14,840.00 square feet.

Said lot being subject to any and all drainage and Utility easements as shown the final recorded plan.

Northampton County Uniform Parcel Identifier: Map: K9 Block: 16 Lot: 12-33.

BEING PART OF THE SAME PREMISES which Catherine Horvath and Mary Ann Horvath, by their Deed dated November 6, 2001, and recorded November 7, 2001 at Record Book Volume 2001-1, page 236870, granted and conveyed unto Signature Homes by J.T. Maloney, Inc., grantor herein.

PARCEL IDENTIFICATION NO: K9-16-12-33.

**RECORD OWNER**

TITLE TO SAID PREMISES IS VESTED IN Robert E. Courtney and Antionette Durante-Courtney, husband and wife, by Deed from Signature Homes by J.T. Maloney, Inc., dated 06/26/2002, recorded 06/27/2002, in Deed Book 2002-1, page 165995.

Premises being: 245 KIRKLAND ROAD, EASTON, PA 18040.

Tax Parcel No. K9-16-12-33.

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

SEIZED AND TAKEN into execution of the writ as the property of Robert Courtney a/k/a Robert E. Courtney, Jr. and Antoinette Durante Courtney a/k/a Toni Spatola.

DANIEL G. SCHMIEG, ESQUIRE

**No. 45**

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

**CV-2007-000724**

All that certain parcel of land situate in the Township of Upper Nazareth, County of Northampton, Commonwealth of Pennsylvania being known and designated as beginning at a point located the following two (2) courses and distances from the intersection of the centerlines of Rose Inn Avenue (T-518) and West Beil Avenue (T-515): (1) South 14 degrees 07 minutes 00 seconds West, 866.68 feet to a point; (2) North 75 degrees 53 minutes 00 seconds West, 30.00 feet to a point in the Westerly right-of-way line of Rose Inn Avenue; thence along the said right-of-way line South 14 degrees 07 minutes 00 seconds West, 90.00 feet to a point in line with Block A, Lot 11, Rose Inn Manor; thence along Lot 11, North 75 degrees 53 minutes 00 seconds West, 100.00 feet to a point in line of Block A, Lot 22, Rose Inn Manor; thence along Lot 22, North 14 degrees 07 minutes 00 seconds East, 90.00 feet to a point in line of Block A, Lot 9, Rose Inn Manor; thence along Lot 9, South 75 degrees 53 minutes 00 seconds East, 100.00 feet to a point, being the point and place of beginning.

Tax/Parcel ID: J8NW4-22-10.

PROPERTY BEING: 141 ROSE INN AVENUE, NAZARETH, PENNSYLVANIA.

THEREON BEING ERECTED a two story single dwelling w/attached

two-car garage, vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of William R. Mogilski and Jacalyn M. Mogilski.

DANIEL G. SCHMIEG, ESQUIRE

**No. 46**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2006-007889**

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

BEGINNING at a point South eighty-five degrees west thirty-five feet from the southwest corner of Messinger and High Street; THENCE along lot now or late of James E. Menhennitt South five degrees East one hundred twenty feet to a point in the north side of a ten foot wide alley; THENCE along the north side of said ten foot alley South eighty-five degrees West sixteen and forty-five one-hundredths feet to a point; THENCE northwardly and through the center line of the partition wall of a double frame dwelling, of which the conveyance is House Number 234, a distance of one hundred twenty feet to a point in the south side of said Messinger Street; THENCE along the south side of said Messinger Street and in line therewith North eighty-five degrees East sixteen and forty-five one-hundredths feet to the place of beginning. THEREON being erected one-half of a double dwelling known as 234 Messinger Street.

DEED FROM Tracey Lee Strunk as set forth in Deed Book 2003-1 page 119064 deed date 03/28/03 recorded date 04/04/03, Northamp-

ton County Records, Commonwealth of Pennsylvania.

BEING KNOWN AS: 234 Messinger Street, Bangor, PA 18013  
PROPERTY ID NO.: E9NE3B-7-7.

TITLE TO SAID PREMISES IS VESTED IN Tracey Lee Strunk, unmarried by Deed from Cheryl L. Farleigh dated 3/28/03 recorded 4/4/03 in Deed Book 2003-1 Page 119064.

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

SEIZED AND TAKEN into execution of the writ as the property of Tracey Lee Strunk.

MARK J. UDREN, ESQUIRE

**No. 48**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2007-000398**

ALL THAT CERTAIN parcel of land situate in the Township of Palmer, County of Northampton and State of Pennsylvania, being known as Lot No. 45, on "Plan of Northwood, Section B", surveyed by Heikki K. Elo, P.E. dated May 31, 1961, and recorded in the Office for the Recording of Deeds in and for the County of Northampton in Plan Book 15 Page 21, and being more particularly bounded and described as follows, to wit:

BEGINNING at a point, said point being in the northern property line Northgate Boulevard; THENCE northerly along the dividing line between Lot No. 44 and Lot No. 45 for a distance of 120.61 feet to a point, THENCE easterly through Lot No. 84 on a course parallel to the dividing line between Lot No. 45 and Lot No. 84 for a distance of 120 feet to a point; THENCE southerly



along the western property line of Bridlepath Road for a distance of 120 feet to a point; THENCE west-erly along the northerly property line of Northgate Boulevard for a dis-tance of 120.01 feet to a point, said point being the place of beginning.

BEING LOT NO. 45.

BEING KNOWN AS 21 Northgate Boulevard, Easton, PA.

PARCEL NUMBER: L8NE2-4-11.

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

SEIZED AND TAKEN into execu-tion of the writ as the property of Robert Rice and Susan Rice.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 50**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2007-000366**

ALL THAT CERTAIN tract or piece of land, situate in the Town-ship of Lehigh, County of Northamp-ton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a stone eight tenths of a perch from land of Lehigh and Susquehanna Railroad Company, North Seventy-two and one-half (72-1/2°) Degrees East Thirteen and five-tenths (13.5) Perches to a stone; North Twenty-one and one-half (21-1/2°) Degrees West Nineteen and seven-tenths (19.7) Perches to a stone; and South Seventy-two and one-half (72-1/2°) Degrees West Twelve and five-tenths (12.5) Perches to a stone, eight-tenths of a perch from the line now or late of Stephen Shoemaker, and South Seventeen (17°) Degrees East Twenty (20) Perches to a stone, the place of beginning.

CONTAINING One (1) Acre and Eight (8) Perches of Land.

ALSO KNOWN AS NORTHAMP-TON COUNTY UNIFORM IDENTI-FIER NO.: TAX PARCEL K2 BLOCK 8 LOT 4.

BEING KNOWN AS: 271 River-view Drive (Lehigh Township) Walnutport, PA 18088 (also known as 4750 Three Mile Lane).

TITLE TO SAID PREMISES IS VESTED IN Patrick M. Mazziotta by Deed from Isadore Weiner and Dor-othy J. Weiner, husband and wife dated 12/8/92 recorded 12/10/92 in Deed Book 882 Page 362.

THEREON BEING ERECTED a two story single dwelling with frame exterior.

SEIZED AND TAKEN into execu-tion of the writ as the property of Patrick M. Mazziotta.

MARK J. UDREN, ESQUIRE

**No. 51**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2007-000309**

ALL THAT CERTAIN tract, piece or parcel of land, together with the buildings erected thereon situate lying and being in the Fourteenth Ward, City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, being Lot No. 1 as shown on Plan of Sections, I, II, III and IV of property Robert J. Lloyd, said plan recorded in the Recorder of Deeds Office in and for North-ampton County at Easton, Pennsylv-ania, in Plan Book Volume 27, page 9, bounded and described as fol-lows:

BEGINNING at a point on the Easterly line of Gail Lane, a street fifty (50) feet in width as shown on reference plan, said point being dis-tant fifty and eighty-two one-hun-dredths (50.82) feet on a course

bearing North three degrees nineteen minutes East from the intersection of said Easterly line of Gail Lane extended Southwardly and the centerline of Pine Top Trail, a city street fifty (50) feet in width;

THENCE along the Easterly line of Gail Lane, North three degrees nineteen minutes East eighty-five and thirty-eight one hundredths (85.38) feet to a point;

thence along Lot No. 2 of reference plan South eighty-six degrees forty-one minutes East, one hundred fifty and eighty-one one hundredths (150.81) feet to a point;

THENCE, party along land of Helen Saeger and partly along land of B.C. Saeger South one degree fifty-eight minutes thirty seconds West, one hundred eight and thirty-four one hundredths (108.34) feet to a point;

THENCE along the Northerly line of Pine Top Trail North eighty-seven degrees thirty-six minutes thirty-eight seconds West, one hundred twenty-seven and ninety-four one hundredths (127.94) feet to a point of curvature;

THENCE by a curve to the right radius of which is twenty-five (25) feet, an arc length of thirty-nine and

sixty-seven one-hundredths (39.67) feet to the place of beginning.

CONTAINING three hundred seventy-nine one-thousandths (0.379) of an acre of land.

Northampton County Tax parcel number: M6SE2-2-7C.

BEING KNOWN AS 3406 Gail Lane, Bethlehem, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of James K. Wah and Beatrice K. Wah.

CHRISOVALANTE P. FLIAKOS,  
ESQUIRE

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

JEFFREY K. HAWBECKER  
Sheriff  
Northampton County,  
Pennsylvania

CHRISTOPHER T. SPADONI  
ESQUIRE

Solicitor to the Sheriff  
May 17, 24, 31

**JUNE 2007 COURT CALENDAR**

<b>MON</b>	<b>TUE</b>	<b>WED</b>	<b>THU</b>	<b>FRI</b>
				1 Misc. Hearings
4 Juvenile Status	5 Argument	6 Status DRS ARD/ Summaries	7 Juvenile DRS	8 Misc. Hearings
11 Juvenile Criminal	12 Criminal	13 Civil Call Criminal	14 Juvenile Arraignments Criminal	15 Misc. Hearings
18 Juvenile Civil	19 Civil	20 Civil	21 Juvenile Civil	22 Misc. Hearings
25 Juvenile Status	26 Civil Pretrials Naturalization 1:30 p.m.	27	28 Juvenile Arraignments	29 Misc. Hearings O.C. Audit

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**NORTHAMPTON COUNTY REPORTER DIGEST—2007-5**  
RECENT DECISIONS OF THE COURTS OF COMMON PLEAS  
OF NORTHAMPTON COUNTY

**EILEEN DURRENBERGER, ADMINISTRATRIX OF THE ESTATE OF  
DOUGLAS DURRENBERGER, DECEASED, PLAINTIFF v. HAROLD  
HECKMAN, M.D., MUHLENBERG HOSPITAL CENTER, DAVID D. MARVI,  
M.D. AND JOHN DOE, M.D. AND JANE DOE, DEFENDANTS**

*Preliminary Objections—Pa. R.C.P. No. 1028—Mental Health Procedures Act, 50 P.S. §7114*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2002-1442.

Opinion and Order of Court overruling in part and sustaining in part defendants' preliminary objections.

Edward R. Eidelman, Esquire for Plaintiff.

Howard S. Stevens, Esquire for Defendant Muhlenberg Hospital.

Valerie L. Reno, Esquire for Defendant Harold Heckman, M.D.

Steven D. Costello, Esquire for Defendant Harold Heckman, M.D.

Andrew K. Worek, Esquire for Defendant David D. Marvi, M.D.

Joseph Goldberg, Esquire for Defendant David D. Marvi, M.D.

Opinion and Order of Court entered April 20, 2006 by Anthony S. Beltrami, J.

DESCRIPTION OF DECISION

Defendants Muhlenberg Hospital and David Marvi, M.D. filed demurrers to the plaintiff's amended complaint, claiming that they were immune from civil liability under the Mental Health Procedures Act, 50 P.S. §7114. However, the amended complaint contained allegations that a jury could find rise to gross negligence, which would eliminate any immunity under the MHPA. Therefore, the demurrers were overruled.

Muhlenberg Hospital and Dr. Marvi also raised objections on the ground of insufficient specificity regarding references to John Doe, M.D., and Jane Doe. Those references, along with any references to other unidentified personnel were, in fact, insufficiently specific and were stricken from the amended complaint.

Harold Heckman, M.D.'s preliminary objections based on insufficient specificity were overruled as the amended complaint was sufficient to put him on notice of the allegations against which he would be required to defend.

Dr. Marvi's preliminary objection as to improper venue was overruled. While each of his actions with regard to this case did occur in Lehigh County, jurisdiction in this court was proper over one or more of the other defendants in this case. Thus, this court's jurisdiction over Dr. Marvi is proper.

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**ABRAHAM ATIYEH, APPELLANT v. THE ZONING HEARING  
BOARD OF MOORE TOWNSHIP, APPELLEE**

*Zoning Appeal*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2005-1943.

Order of Court denying appellant's zoning appeal.

William G. Malkames, Esquire for Plaintiff.

Henry S. Perkin, Esquire and Thomas M. Caffery, Esquire for Defendant.

Order of Court entered April 20, 2006 by Anthony S. Beltrami, J.

DESCRIPTION OF DECISION

Appellant filed an appeal to the Zoning Hearing Board of Moore Township from a Notice of Violation and Cease and Desist Order regarding the erection of a sign offering lots for sale prior to the grant of a subdivision. The Board denied the appeal, finding that because no subdivision had been created, the size of the sign was improper. The Board did not abuse its discretion in interpreting its own ordinance and denying the appeal, and there is no statutory or case law to the contrary. Therefore, the appellant's appeal was denied.

---

**ABRAHAM ATIYEH, APPELLANT v. THE ZONING HEARING  
BOARD OF MOORE TOWNSHIP, APPELLEE**

*Zoning Appeal*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2005-1942.

Order of Court denying appellant's zoning appeal.

William G. Malkames, Esquire for Plaintiff.

Henry S. Perkin, Esquire and Thomas M. Caffery, Esquire for Defendant.

Order of Court entered April 26, 2006 by Anthony S. Beltrami, J.

DESCRIPTION OF DECISION

Appellant filed an appeal to the Zoning Hearing Board of Moore Township from a Notice of Violation and Cease and Desist Order regarding a mobile home on that property that was required to be removed. The Board denied the appeal, finding that the mobile home was a second principal use on the property in violation of Section 200-21 of the Moore Township Zoning Ordinance of 1980. The Board did not abuse its discretion in interpreting its own ordinance and denying the appeal, and there is no statutory or case law to the contrary. Therefore, the appellant's appeal was denied.

---

**ABRAHAM ATIYEH, APPELLANT v. THE ZONING HEARING  
BOARD OF MOORE TOWNSHIP, APPELLEE**

*Zoning Appeal*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2005-4278.

Order of Court denying appellant's zoning appeal.

William G. Malkames, Esquire for Plaintiff.

Henry S. Perkin, Esquire and Thomas M. Caffery, Esquire for Defendant.

Order of Court entered April 26, 2006 by Anthony S. Beltrami, J.

DESCRIPTION OF DECISION

Appellant filed an appeal to the Zoning Hearing Board of Moore Township from a Notice of Violation and Cease and Desist Order regarding commercial operations that were being conducted on the property. The Board denied the appeal, finding that there were multiple commercial businesses utilizing the property, and that these uses were not permitted on the property, as it was located in a Rural District. The Board did not abuse its discretion in interpreting its own ordinance and denying the appeal, and there is no statutory or case law to the contrary. Therefore, the appellant's appeal was denied.

**COMMONWEALTH OF PENNSYLVANIA v. DIANE ALFORD, DEFENDANT***Search Warrant—Probable Cause*

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division, No. 2006-42.

Order of Court denying defendant's Motion for Suppression of Evidence.

Michael J. Thompson, Esquire for the Commonwealth.

Mark S. Refowich, Esquire for Defendant.

Order of Court entered May 5, 2006 by Anthony S. Beltrami, J.

**DESCRIPTION OF DECISION**

The defendant was arrested and charged with several drug crimes, including possession of a controlled substance, possession with intent to deliver, and possession of drug paraphernalia. The defendant argued that the affidavit of probable cause used to obtain the search warrant which led to her arrest failed to provide probable cause for the issuing authority to determine if there was reliable information for the issuance of a search warrant. The affidavit of probable cause was sufficient, under the totality of the circumstances test, to allow the issuing authority to issue the search warrant based upon the anonymous tips included therein, along with the information concerning other corroborating evidence.

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**STEEL CITY CHROMIUM PLATING COMPANY, INC., PLAINTIFF v.  
RUSTIC EXTERIORS, INC. AND JOHN HITCHO, DEFENDANTS***Preliminary Objections—Pa. R.C.P. 1028(a)(3)—Gist of the Action Doctrine*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2005-1430.

Order of Court sustaining Defendant Rustic Exteriors, Inc.'s Preliminary Objections to Plaintiff's Complaint.

Michael C. Deschler, Esquire for Plaintiff.

Steven E. Hoffman, Esquire for Defendant Rustic Exteriors, Inc.

Kelly Clifford Rambo, Esquire for Defendant John Hitcho.

Order of Court entered May 8, 2006 by Anthony S. Beltrami, J.

**DESCRIPTION OF DECISION**

Plaintiff's complaint contained two counts, the first against Rustic Exteriors for breach of contract, and the second against both Rustic and Hitcho for negligence. Rustic objected that Count II was merely a restatement of Count I, and that under the gist of the action doctrine Count II, was legally insufficient. Count II was merely an attempt by the plaintiff to re-cast its breach of contract claim against Rustic as a negligence claim. The foundation of the negligence claim against Rustic was a lease and the terms thereof. Therefore, Count II of the complaint was legally insufficient.

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**CHRIN BROTHERS, INC., PLAINTIFF v. WILLIAMS TOWNSHIP AND  
ROBERT DOERR, JOHN CUSICK AND ROBERT HELM, IN THEIR  
OFFICIAL CAPACITIES AS TOWNSHIP SUPERVISORS, DEFENDANTS***Judgment on the Pleadings—Pa. R.C.P. 1034—Pennsylvania Sunshine Act—65 Pa. C.S.A. §701 et seq.*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48CV2005-6360.

Opinion and Order of Court denying Defendants' Motion for Judgment on the Pleadings.

Leo A. DeVito, Jr., Esquire, Lisa A. Pereira, Esquire and James F. Preston, Esquire for Plaintiff.

William C. Stubits, Esquire, Dean F. Murtagh, Esquire and Brian M. Monahan, Esquire for Defendants.

Order of Court entered May 11, 2006 by Anthony S. Beltrami, J.

#### DESCRIPTION OF DECISION

The plaintiff's complaint alleged violations of the Second Class Township Code and the Pennsylvania Sunshine Act. The plaintiff seeks a declaratory judgment as well as attorney's fees and costs incurred in bringing both the instant action as well as for defending an underlying action, which it alleged arose out of the violation of the Sunshine Act. The defendants moved for judgment on the pleadings, arguing that the plaintiff may only claim attorney's fees and costs associated with bringing the action for violation of the Sunshine Act itself. However, defendants were not entitled to judgment as a matter of law. The plaintiff was entitled to seek damages for attorney's fees and costs incurred in bringing the instant action as well as those fees and costs incurred in defending the underlying action. Allowing the plaintiff to pursue those damages furthers the intent and policy of the legislature in enacting the Sunshine Act and promotes justice.

---

#### **ROGER WRAZIEN, PLAINTIFF v. EASTON AREA SCHOOL DISTRICT, DEFENDANT**

*Breach of Contract—Act 93—Pa. C.S.A. §11-1164—School Board Activities—24 P.S. §5-508*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2001-7915.

Decision and Order of Court in favor of the plaintiff and against the defendant.

Ronald W. Shipman, Esquire for Plaintiff.

John E. Freund, Esquire and Alan B. McFall, Esquire for Defendants.

Order of Court entered May 30, 2006 by Anthony S. Beltrami, J.

#### DESCRIPTION OF DECISION

The plaintiff claimed that the defendant had breached the contract between the parties by failing to make the required annual payments to compensate the plaintiff for 100% of his unused sick days as of the date of his retirement. The defendant claimed that the plaintiff failed to prove that majority of school board members understood, when they approved the retirement of the plaintiff, that they were approving payment of 100% of his unused sick days. Based on the testimony presented, the superintendent had the authority under the Act 93 plan to establish the fringe benefits for the plaintiff and agreed to pay the plaintiff 100% of his unused sick days. The retirement of the plaintiff was submitted to the school board and was approved. This created a binding contract on the school district, despite the fact that every member of the board may not have known every detail of the contract. The school district failed to make the required payments. Therefore, the plaintiff was entitled to judgment in his favor.



**COMMONWEALTH OF PENNSYLVANIA v.  
MATTHEW GRIESMANN, DEFENDANT**

*Defenses—Justification 18 Pa. C.S.A. §503*

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division, No. 2006-CR-11.

Memorandum Opinion in accordance with Rule 1925(a).

Michael A. Filingo, Esquire for the Commonwealth.

Anthony J. Martino, Esquire for Defendant.

Memorandum Opinion entered June 9, 2006 by Anthony S. Beltrami, J.

DESCRIPTION OF DECISION

The defendant was convicted of the summary offense of Driving While Operating Privilege is Suspended or Revoked (DUI-related), 75 Pa. C.S.A. §1543(b), on May 4, 2006. The defendant was sentenced to 60 days in prison and a \$500 fine. Based upon his girlfriend's sickness and alleged inability to drive, the defendant argued justification. The court held that while justification is a legitimate defense to the crimes with which the defendant was charged, the defendant failed to present sufficient evidence that he was faced with a clear and imminent harm that would have justified his driving. Even if he had been faced with such circumstances, there were legal alternatives to abate that harm, that did not involve the defendant violating the law by driving.

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**IN RE: J.K.P., A JUVENILE**

*Post-Disposition Motion—Sufficiency of the Evidence*

In the Court of Common Pleas of Northampton County, Pennsylvania, Juvenile Division, No. 322-05.

Opinion and Order of Court denying the juvenile's Post-Disposition Motion.

Patricia S. Broscius, Esquire for the Commonwealth.

Carmen Marinelli, Esquire for the Juvenile.

Opinion and Order of Court entered June 26, 2006 by Anthony S. Beltrami, J.

DESCRIPTION OF DECISION

Following a contested hearing on March 21, 2006, the court determined that the juvenile committed the delinquent acts of rape, attempted rape, sexual assault, attempted sexual assault, and indecent assault. He was thereafter adjudicated delinquent. The juvenile alleged in his motion that the Commonwealth failed to prove its case beyond a reasonable doubt. After reviewing the evidence and testimony received at the contested hearing, the evidence was sufficient to establish, beyond a reasonable doubt, that the juvenile committed the delinquent acts with which he was charged. The amount of alcohol that the victim consumed, along with the condition that the victim was found in by her stepfather and the condition of her clothes at that time, and the victim's testimony that she passed out was sufficient to convince the court that the victim was unconscious, or that anyone having sex with her would have known that she was unaware that sex was occurring. The victim's testimony that the following day the juvenile specifically told her that they had had sex the previous night, as well as the juvenile's sperm being found on her pants were sufficient to establish that they had had sex. The evidence was also sufficient to establish each of the other charged offenses.

**COMMONWEALTH OF PENNSYLVANIA v.  
GREGORY BROWN, DEFENDANT**

*Search Warrant—Items To Be Seized, Scope—Search and Seizure—Third Party Consent, Warrantless Search—Writ of Habeas Corpus*

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division, No. 2005-4098.

Opinion and Order of Court granting defendant's Motion for Suppression of Evidence and denying defendant's Petition for Writ of Habeas Corpus.

Richard H. Pepper, Esquire for the Commonwealth.

Mark L. Minotti, Esquire and Dwight L. Danser, Esquire for Defendant.

Opinion and Order of Court entered June 29, 2006 by Anthony S. Beltrami, J.

DESCRIPTION OF DECISION

On September 30, 2005, the defendant was arrested and charged with robbery and conspiracy in connection with a bank robbery that occurred on September 4, 2002. The defendant's Motion for Suppression of Evidence was filed to suppress numerous items of physical evidence that were recovered as a result of two searches conducted in September 2002 at the defendant's residence. The first of these searches was conducted by the Allentown police pursuant to a warrant issued as part of a drug investigation. The police, at the direction of the FBI, searched for and seized numerous items outside the scope of the warrant and the affidavit of probable cause. The additional search for these items was beyond the scope of the search warrant, and the Commonwealth presented no evidence to support their assertions that the inevitable discovery doctrine or the independent source rule would permit the evidence to be admitted.

The second search and seizure occurred a week later when, after previously being denied consent to search by the defendant's fiancée, who is also on the lease of the apartment, an FBI agent obtained third party consent to search the gated patio area behind the apartment from the owner of the building, the defendant's landlord. The evidence seized from that search was excluded because the landlord's consent was insufficient to allow the agent to search the area, which the Commonwealth did not dispute was a private area behind the apartment that was not open to the public, as it was part of the "leased premises."

The defendant argued that without the suppressed evidence, the Commonwealth failed to establish a prima facie case against him. However, dismissal of the charges is not the proper remedy for illegally obtained evidence.

---

**COMMONWEALTH OF PENNSYLVANIA v. JAMES WRIGHT, DEFENDANT**

*Assistance of Counsel—Pa. R.Crim.P. No. 122*

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division, No. 2006-CR-12, 2006-CR-13.

Memorandum Opinion in accordance with Pa. R.A.P. No. 1925(a).

Jill Mancini, Esquire for the Commonwealth.

James Wright, Pro Se Defendant.

Memorandum Opinion filed on August 18, 2006 by Anthony S. Beltrami, J.

DESCRIPTION OF DECISION

On May 4, 2006, the defendant was convicted of the summary offenses of Driving While Operating Privilege is Suspended or Revoked, 75 Pa. C.S.A. §1543(a), and

Driving an Unregistered Vehicle, 75 Pa. C.S.A. §1301(a). The defendant filed a Notice of Appeal to the Superior Court of Pennsylvania. While the defendant complained that he was denied assistance of counsel, Pa.R.Crim.P. No. 122 states that counsel shall only be appointed in summary cases when there is a likelihood of a prison sentence. Neither of the charges against the defendant is punishable by imprisonment, thus the defendant was not entitled to the assistance of counsel. The defendant raised numerous other complaints, but they were not addressed as each complaint was completely frivolous on its face.

---

**ROGER WRAZIEN, PLAINTIFF v.  
EASTON AREA SCHOOL DISTRICT, DEFENDANT**

*Act 93—24 Pa. C.S.A. §11-1164—School Board Activities—24 P.S. §5-508—Award of Counsel Fees—42 Pa. C.S.A. §2503*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2001-7915.

Opinion and Order of Court denying defendant's post-trial motion and granting plaintiff's post trial motion.

Ronald W. Shipman, Esquire for Plaintiff.

John E. Freund, Esquire for Defendant.

Order of Court entered August 31, 2006 by Anthony S. Beltrami, J.

**DESCRIPTION OF DECISION**

Following a trial in this matter, the defendant filed a post-trial motion asking the court to modify its decision finding in favor of the plaintiff and enter judgment in the defendant's favor. The plaintiff filed a post-trial motion seeking attorney's fees and costs. The defendant alleged that the court committed numerous errors of law, and made several erroneous findings of fact and conclusions of law. Each of the defendant's assertions was without merit. The conclusions of law and findings of fact were based upon the evidence as presented and the applicable statutory and case law. Act 93 was properly interpreted to allow the superintendent of schools to establish fringe benefits for the plaintiff upon his retirement, and the school board approved that retirement as provided for in Section 508 of the School Code.

The plaintiff's motion to award counsel fees was granted and fees were awarded as of the date that the Pennsylvania Supreme Court refused to hear the defendant's appeal of the denial of its motion for summary judgment. From the very beginning of this matter, the defendant relied upon arguments the lack of the superintendent's authority, a non-effective vote by the school board, and the "solid proof" doctrine. Despite pre-trial rulings by this court and the Commonwealth Court that those defenses were without merit in this case, the defendant relied solely on those arguments at the trial of this matter and in its post-trial motion. This conduct was obdurate, vexatious and dilatory and therefore, attorney's fees and costs were awarded.

---

**CHARLES AND SALLY WILKINSON, PLAINTIFFS v. DOV LANGER, L&S  
DEVELOPERS, LLC AND JOSEPH STRAUSS, ESQUIRE, DEFENDANTS**

*Preliminary Objections—Pa. R.C.P. No. 1028(a)(3)—Gist of the Action Doctrine*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2005-221.

Order of Court sustaining in part and overruling in part defendants' preliminary objections to the plaintiffs' fourth amended complaint.

Mark Thomas Sophocles, Esquire for Plaintiffs.

Robert M. Davison, Esquire for Defendants.

Order of Court entered September 13, 2006 by Anthony S. Beltrami, J.

DESCRIPTION OF DECISION

The defendants objected to the third amended complaint of the plaintiff, and in their brief in support of the objections requested that the court rule on the objections even if a fourth amended complaint were filed. The Honorable Paula A. Roscioli issued an order deeming the objections to Counts I and III of the complaint moot as a result of the filing of a fourth amended complaint. The objections to Counts II and IV were ruled on as if new preliminary objections were filed in accordance with Pa. R.C.P. No. 1028(f).

The defendants' objection that Count II of the complaint should be dismissed under the gist of the action doctrine was sustained. The plaintiffs improperly attempted to recast their breach of contract claim in Count I as a negligence claim in Count II. The negligence claim was not the gist of the action and that count was therefore dismissed.

The defendants also argued that Count IV of the complaint was insufficiently specific. That count of the complaint, when viewed in conjunction with the entire pleading, was sufficiently specific to put the defendants on notice to allow them to prepare a defense. As such, the objection was overruled.

---

**CITIBANK (SOUTH DAKOTA) N.A., PLAINTIFF v.  
MARC A. WUCHTER, DEFENDANT**

*Motion for Judgment on the Pleadings—Pa. R.C.P. No. 1034*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2005-8964.

Order of Court granting the Motion of Plaintiff for Judgment on the Pleadings.

Yale D. Weinstein, Esquire for Plaintiff.

Marc A. Wuchter, Pro Se Defendant.

Order of Court entered September 18, 2006 by Anthony S. Beltrami, J.

DESCRIPTION OF DECISION

The plaintiff's complaint sought collection on two credit cards issued to the defendant. The defendant filed an answer generally denying the allegations of the complaint, admitting that he owed the plaintiff a debt, but denying the amount of the debt due to claimed excessive late and over limit fees. The defendant pleaded no facts to support his conclusion that the late and over limit fees were excessive or that they were not owed to the plaintiff. Accepting the allegations of the defendant as true, the plaintiff was entitled to judgment as a matter of law.

---

**COMMONWEALTH OF PENNSYLVANIA v.  
ALQUINTON DEVON MCNEIL, DEFENDANT**

*Investigatory Stop—Reasonable Suspicion—Anonymous Tip*

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division, No. 2006-CR-852.

Opinion and Order of Court granting defendant's Motion to Suppress Physical Evidence and Statements and denying defendant's Petition for Writ of Habeas Corpus.

Michael J. Thompson, Esquire for the Commonwealth.

Gregorio W. Paglianite, Esquire for Defendant.

Opinion and Order of Court filed on September 21, 2006 by Anthony S. Beltrami, J.

#### DESCRIPTION OF DECISION

On February 2, 2006, Officer Crisafulli of the Palmer Township police received a radio transmission from dispatch that a green van with a certain license plate number was in the CVS parking lot possibly selling illegal drugs, and that the van was last seen heading toward officer Crisafulli's position. The information regarding the vehicle was given to police by an anonymous source. The officer spotted the vehicle, identified it as the vehicle described in the transmission, and initiated a traffic stop by activating his vehicle's overhead lights. As a result of the stop, physical evidence was recovered and statements were taken by the police. The defendant was charged with possession of a small amount of marijuana, driving while operating privilege is suspended or revoked, possession of cocaine, and possession with intent to deliver cocaine.

The officer testified that he initiated the stop based solely on the anonymous tip transmitted to him by dispatch. An anonymous tip, without more, is insufficient to serve as the basis for a reasonable suspicion of criminal activity to initiate an investigatory stop. Accordingly, all the evidence and statements obtained subsequent to the initiation of the stop were suppressed as the fruit of the illegal stop.

The defendant's petition for writ of habeas corpus was denied. The transcript of the preliminary hearing established a prima facie case against the defendant. The remedy for illegally obtained evidence is suppression of that evidence and its exclusion at trial, not dismissal of the case.

---

#### **IN RE: ESTATE OF WILBERT D. KNITTER, SR., DECEASED**

*Contract for the Sale of Goods—Book Account—Definition—Statute of Limitations—13 Pa. C.S.A. §2725*

In the Court of Common Pleas of Northampton County, Pennsylvania, Orphans' Court Division—Law, No. C-48-02-1090.

Adjudication and Decree overruling the objections of Richard S. Lieberman to the First and Final Account of Donald Knitter and Wilbert Knitter, Jr., Administrators, for the Estate of Wilbert D. Knitter, Sr., Deceased.

Peter C. Layman, Esquire for the Objector.

Alfred S. Pierce, Esquire for the Estate.

Adjudication and Decree entered September 26, 2006 by Anthony S. Beltrami, J.

#### DESCRIPTION OF DECISION

The objector objected to the first and final account of the estate of the decedent claiming that it did not include debts allegedly owed to the objector. The objector argued that the decedent owed the objector a debt arising from the purchase of corn and other agricultural products over the course of a number of years. The objector claimed that while no amount of principal was outstanding, the decedent owed the objector interest that had accrued on the account, which the objector claimed was a book account. The objections were overruled. The objector's claim was filed within one year of the decedent's death, and the claim therefore relates back to the date of the death. Under the four year statute of limitations applicable to actions involving the sale of goods, the court held that only two of the invoices entered into evidence were not barred by the statute of limitations. Sufficient evidence was not presented to demonstrate that the account in question was, in fact, a book account. Of those two invoices not barred, neither contained a provision for the charging or payment of interest.

**IN RE: R.S.***Right against Self Incrimination—Fifth Amendment—Right to Counsel—Sixth Amendment*

In the Court of Common Pleas of Northampton County, Pennsylvania, Juvenile Division. No. 2006-407.

Opinion and Order of Court denying the juvenile's Petition for Special Relief.

Patricia Broscius, Esquire for the Commonwealth.

Nuria Sjolund, Esquire for the Juvenile.

Opinion and Order of Court entered October 6, 2006 by Anthony S. Beltrami, J.

**DESCRIPTION OF DECISION**

The juvenile was adjudicated delinquent on September 5, 2006 on a charge of attempt to commit aggravated indecent assault following a contested hearing. The juvenile was ordered to submit to psychological, psychiatric, and sexuality evaluations in anticipation of disposition. The juvenile filed a Petition for Special Relief, asking the court to cancel the evaluations, arguing that they would be conducted in violation of his fifth and sixth amendment rights.

The petition was denied as the fifth amendment does not apply to post-conviction evaluations of the court as set forth in the cited case law. The sixth amendment right also is not applicable to post-conviction evaluations ordered by the court. One of the primary purposes of the juvenile act is rehabilitate and reform juvenile delinquents. The evaluations in this case were ordered to determine what course of treatment would best serve the juvenile's rehabilitative needs, as well as provide for the safety of the community most effectively. The juvenile's rights would not be violated by the evaluations as the juvenile has already been adjudicated delinquent and the presence of counsel at the evaluations would only frustrate their purpose.

**COMMONWEALTH OF PENNSYLVANIA v. ERNESTO PEREZ, DEFENDANT***Constructive Possession—Reasonable Suspicion—Waiver of Rights—Knowing and Intelligent*

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division, No. 2005-CR-4288.

Opinion and Order of Court denying defendant's Motion to Suppress Evidence and defendant's Motion to Quash/Habeas Corpus.

Robert Eyer, Esquire for the Commonwealth.

Mark L. Minotti, Esquire for Defendant.

Opinion and Order of Court filed on October 18, 2006 by Anthony S. Beltrami, J.

**DESCRIPTION OF DECISION**

On September 26, 2005, Captain Michael Vangelo, of the Easton Police Department was on assignment with the vice unit, and was driving a marked police car. While stopped at a traffic light, Captain Vangelo heard the sound of a shell casing hitting the ground. Captain Vangelo looked to his left and saw an individual getting out of a Chevy Suburban across the street. The individual made eye contact with Captain Vangelo, and then attempted to kick the shell casing under the vehicle. The defendant was a passenger in the vehicle and was getting out of the passenger side. Captain Vangelo approached the driver and inquired as to his name as well as the ownership of the vehicle. The driver gave Captain Vangelo a name which later was revealed to be false but claimed to be the

owner of the vehicle. The defendant did likewise to officers that arrived as backup. Captain Vangelo was able to see another shell casing on the ground, as well as two more inside the vehicle. Captain Vangelo asked the driver where the gun was that went with the casings. The driver originally said he did not have a gun, but when asked again, refused to say anything. The driver then consented to a search of the vehicle. Captain Vangelo found a silver handgun, eight packets of heroin, and an empty ammunition clip identical to the one loaded into the gun in the center console of the vehicle. Captain Vangelo asked the driver and the defendant if either of them had a permit to carry the gun. Both said that they did not. Both the driver and the defendant were placed under arrest. The vehicle was later searched pursuant to a warrant, revealing another shell casing, \$63.00 in cash, cell phones, and a notebook containing what appeared to be a record of drug deals. No drug use paraphernalia was found in the vehicle. The defendant was then taken back to the police headquarters where he was read his Miranda rights, signed the waiver form, and spoke to the police.

The defendant's habeas corpus action was based on a claim that the Commonwealth had failed to establish a prima facie case against him in that each charge against him was a possessory offense, and the Commonwealth failed to demonstrate that he had constructively or actually possessed the drugs or the gun in question. For each of the charges, the Commonwealth established a prima facie case.

As to the possession of stolen property with regard to the gun, the gun was found in the center console of the vehicle, an area to which the defendant and the driver had equal access to and equal control over. The defendant admitted to knowing that the gun was in the console and admitted to having touched it previously. Given these facts, as well as the fact that the defendant admitted that he did not have a license to carry a gun, which the Pennsylvania State Police confirmed, the Commonwealth established a prima facie case as to the charge of firearms not to be carried without a license.

As to the drug possession charge, the drugs, like the gun, were found in the center console, an area to which the defendant and driver had equal access and joint control over. The defendant knew that a firearm that he had previously handled was also in the console. In addition, multiple items associated with drug dealing were found in the front area of the vehicle where the defendant had been sitting. All of these facts, along with the method in which the heroin was packaged and the lack of drug paraphernalia, establish a prima facie case of possession with intent to deliver the heroin.

The defendant's motion to suppress all physical evidence as fruits of an illegal search was denied. Captain Vangelo possessed a reasonable suspicion that criminal activity was afoot to institute an investigatory stop when he approached the defendant and the driver of the vehicle. The driver gave Captain Vangelo permission to search the vehicle.

The defendant's motion to suppress statements made while in police custody was also denied. The defendant claimed that he did not truly understand his rights due to a language barrier issue as well as being under the influence of marijuana, and that therefore, any waiver was invalid. The Commonwealth established that any marijuana the defendant had consumed previously that day would not have been influencing him at the time of the waiver of rights and the interview and that he did not appear to be under the influence. The Commonwealth also established that the defendant had knowingly and intelligently waived his rights.

**BETTY BARRON, EXECUTRIX OF THE ESTATE OF CORA DAWE A/K/A CORA A. DAWE, DECEASED, PLAINTIFF v. EASTON NURSING CENTER ASSOCIATES D/B/A EASTON NURSING CENTER, PENN MED CONSULTANTS, INC., NW REHABILITATION ASSOCIATES, INC., NW REHABILITATION ASSOCIATES, L.P., SELECT MEDICAL CORPORATION, INC. AND SELECT MEDICAL HOLDINGS CORPORATION, DEFENDANTS**

*Preliminary Objections—Pa. R.C.P. No. 1028(a)(2), (3)*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2006-2745.

Order of Court overruling the Preliminary Objections of Defendants, NW Rehabilitation Associates, Inc., NW Rehabilitation Associates, L.P., Select Medical Corporation, Inc. and Select Medical Holding Corporation, to Plaintiff's Complaint.

Kelly Clifford Rambo, Esquire for Plaintiff.

Richard A. Halloran, Esquire and Steven E. Sinkway, Esquire for Defendants Easton Nursing Center Associates, d/b/a Easton Nursing Center and Penn Med Consultants, Inc.

Paul F. Laughlin, Esquire and Deborah A. Cooper, Esquire for Defendants NW Rehabilitation Associates, Inc., NW Rehabilitation Associates, L.P., Select Medical Corporation, Inc., and Select Medical Holding Corporation.

Order of Court entered October 20, 2006 by Anthony S. Beltrami, J.

**DESCRIPTION OF DECISION**

The defendants objected to the plaintiffs' claim for punitive damages in paragraph 47 of the complaint as being impertinent. Viewing the complaint in its entirety, the plaintiff set forth sufficient facts that if proven, could lead a jury to conclude that the actions or inactions of the defendants went beyond ordinary negligence and that the defendants acted with "reckless disregard" for the safety of the decedent. Therefore, paragraph 47 was not impertinent and was not stricken from the complaint.

The defendants also objected to paragraphs 12 and 38, arguing that these two paragraphs were insufficiently specific and could allow the plaintiff to add new allegations in the future. The defendants also argued that the allegations of agency failed to sufficiently identify the agents, their authority, or how the tortious acts fell within that authority. While the complaint did not identify any specific agent by name, the complaint did identify the therapy being given to the decedent and the complained of acts. Based on these identifications, the defendants should be aware of the individuals who were treating the decedent, were responsible for treating the decedent, and/or who were on duty at the time of the incident in question. The complaint sufficiently put the defendants on notice of the claims against which they must defend; therefore, the objection was overruled.

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**ANN JEANETTE RUGGIERO PFEIFFER AND WILLIAM VITO RUGGIERO, JR., CO-ADMINISTRATORS OF THE ESTATE OF WILLIAM RUGGIERO, SR., DECEASED AND EDITH A. RUGGIERO, PLAINTIFFS v. TRACY EDDINGER AND JOHN A. FIORE, T/D/B/A FIORE FUNERAL HOME, DEFENDANTS**

*Motion to Compel Entry on Property—Pa. R.C.P. 4009.1*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2005-9084.



Order of Court denying Plaintiff's Motion to Compel Entry on Property of Defendant Fiore Funeral Home for Inspection and Other Activities.

Stewart L. Cohen, Esquire and Kristen J. Loerch, Esquire for Plaintiff.

Kenneth J. Sykes, Esquire for Defendant Eddinger.

James J. Dodd-O, Esquire and Bernard T. Kwitowski, Esquire for Defendant Fiore.

Order of Court entered October 20, 2006 by Anthony S. Beltrami, J.

#### DESCRIPTION OF DECISION

The plaintiff's motion asked the court to compel the Fiore Funeral Home to permit plaintiffs, along with counsel and their experts, to enter the funeral home property to inspect, photograph, test, and recreate the motor vehicle accident that is the subject of the litigation. The motion also requested that the court compel the defendant to reposition certain traffic cones where they were at the time of the accident as well as to illuminate the property to mirror the lighting at the time of the accident. The defendant was willing to permit the plaintiffs onto the property and was willing to provide the traffic cones that were requested for inspection. However, the funeral home objected to the request that they reposition the cones at the time of the inspection and that they illuminate the property to mirror the lighting at the time of the accident.

While the plaintiffs were entitled to enter the property and to inspect the property and the traffic cones, no Pennsylvania authority would permit the plaintiff to compel the defendant to participate in the reenactment of the accident or recreation of the accident scene. That being the case, the motion was denied.

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#### JOHN VAN ANDEN, PLAINTIFF v. SUSAN SHARKAN-ABUD AND JUDITH A. LERCH, DEFENDANTS

*Preliminary Objections—Pa. R.C.P. No. 1028(a)(3)*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2006-3067.

Order of Court sustaining in part and overruling in part defendant Lerch's preliminary objections to the plaintiffs' complaint.

James R. Fiorentino, Esquire for Plaintiff.

Richard E. Santee, Jr., Esquire for Defendant Sharkan-Abud.

Jason Banonis, Esquire for Defendant Lerch.

Order of Court entered October 20, 2006 by Anthony S. Beltrami, J.

#### DESCRIPTION OF DECISION

Defendant Lerch objected to numerous subparagraphs of the complaint, claiming that they were insufficiently specific and would allow the plaintiff to add new theories of liability and/or causes of action in the future.

Each of the subparagraphs objected to, with the exception of 22(s), were sufficiently specific to put the defendant on notice of the claims against which she must defend. Paragraph 22(s), however, contained language nearly identical to that addressed by the Pennsylvania Supreme Court in *Connor v. Allegheny General Hospital*, \_\_\_ Pa. \_\_\_. 461 A.2d 600 (1983). The language in paragraph 22(s) was improper as it was insufficiently specific and could potentially allow the plaintiff new theories of liability, even after the expiration of the applicable statute of limitations. Therefore, that subparagraph was stricken.

As paragraph 22(s) was stricken as insufficiently specific, defendant Lerch's preliminary objection in the nature of a demurrer to paragraph 22(s) was deemed moot.

**BETTY BARRON, EXECUTRIX OF THE ESTATE OF CORA DAWE  
A/K/A CORA A. DAWE, DECEASED, PLAINTIFF v. SELECT MEDICAL  
REHABILITATION SERVICES, INC. D/B/A NW REHABILITATION  
ASSOCIATES, DEFENDANT**

*Preliminary Objections—Pa. R.C.P. No. 1028(a)(2), (3)*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2006-3471.

Order of Court overruling the Preliminary Objections of Defendant, Select Medical Rehabilitation Services, Inc. d/b/a NW Rehabilitation Associates to Plaintiff's Complaint.

Kelly Clifford Rambo, Esquire for Plaintiff.

Paul F. Laughlin, Esquire and Deborah A. Cooper, Esquire for Defendant.

Order of Court entered October 20, 2006 by Anthony S. Beltrami, J.

**DESCRIPTION OF DECISION**

The defendant objected to the plaintiffs' claim for punitive damages in paragraph 47 of the complaint as being impertinent. Viewing the complaint in its entirety, the plaintiff set forth sufficient facts that, if proven, could lead a jury to conclude that the actions or inactions of the defendant went beyond ordinary negligence and that the defendant acted with "reckless disregard" for the safety of the decedent. Therefore, paragraph 47 was not impertinent and was not stricken from the complaint.

The defendant also objected to paragraph 38, arguing that it was insufficiently specific and could allow the plaintiff to add new allegations in the future. The defendant also argued that the allegations of agency failed to sufficiently identify the agents, their authority, or how the tortuous acts fell within that authority. While the complaint did not identify any specific agent by name, the complaint did identify the therapy being given to the decedent and the complained of acts. Based on these identifications, the defendant should be aware of the individuals who were treating the decedent, were responsible for treating the decedent, and/or who were on duty at the time of the incident in question. The complaint sufficiently put the defendant on notice of the claims against which it must defend. Therefore, the objection was overruled.

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**WILLIAM J. POSAVEK, SR. A/K/A WILLIAM J. POSAVEK, PLAINTIFF v.  
WILLIAM J. POSAVEK, JR. AND POSAVEK CONSTRUCTION, INC.  
D/B/A W.J. POSAVEK & SON, DEFENDANTS**

*Motion To Strike—Pa. R.C.P. 1028—Motion for More Specific Pleading—Pa. R.C.P. 1028(3), 1019(a)—Demurrer—Pa. R.C.P. No. 1028(a)(4)—Gist of the Action Doctrine*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2006-3353.

Opinion and Order of Court sustaining in part and overruling in part the Preliminary Objections Filed on Behalf of Defendants William J. Posavek, Jr., and Posavek Construction, Inc. d/b/a W.J. Posavek & Son.

John R. Vivian, Jr., Esquire for Plaintiff.

Kevin T. Fogerty, Esquire for Defendants.

Opinion and Order of Court entered October 25, 2006 by Anthony S. Beltrami, J.

## DESCRIPTION OF DECISION

In his complaint, the plaintiff alleged that he reached an oral agreement with the individual defendant, prior to November 22, 2005, under the terms of which the plaintiff would transfer all of his stock in the corporate defendant to the individual defendant in exchange for the guarantee of full-time employment with the corporate defendant until he reached the age of 62, and on a part-time basis thereafter, receiving a 40% commission on all jobs he sold. The plaintiff claimed that based upon that oral agreement, on November 22, 2005, he executed a written document in which he sold, assigned and transferred all stock in the corporate defendant to the individual defendant "for value received." The plaintiff alleged the terms of the oral/written agreement were abided by until January 20, 2006, when the individual defendant ordered him to leave the business and never return.

The defendant first objected to the use of the term "written contract" in paragraph 6 and throughout the complaint when referring to the written document referred to above, claiming that defendant never signed the document and that, therefore, it cannot be referred to as a "written contract." The defendant asked the court to strike all references to the document as a "written contract." The plaintiff pleaded sufficient facts to submit to a fact finder the question of whether an oral/written contract, the terms of which were partially included in the written document, was entered into by the parties. Further, no evidence was presented that the signatures of both parties was required by law or that the parties intended the signature of all parties to be a requirement for the contract to be valid. Therefore the plaintiff's motion to strike paragraph 6 and all references to the document as a "written contract" was denied.

The defendant's motion for a more specific pleading with regard to the oral agreement referred to in paragraphs 7 and 9 of the complaint was denied. The plaintiff sufficiently pleaded the oral agreement and put the defendants on notice of the claims against which they must defend. More specific information regarding the alleged oral agreement and its terms can be obtained through discovery.

The defendant's motion to strike the plaintiff's complaint due to the plaintiff's seeking inconsistent and contradictory relief was denied. Pursuant to Pa. R.C.P. No. 1021, the plaintiff is entitled to seek varied alternative remedies when the facts necessary to obtain those remedies are consistent.

The defendant next made a demurrer to Count III of the complaint arguing that the fraudulent misrepresentation claim was barred by the gist of the action doctrine and/or the economic loss doctrine. The only misrepresentation claimed was the plaintiff's allegation that, while negotiating the agreement, the individual defendant promised the plaintiff that he would be employed full-time until he reached the age of 62, after which he would be employed part-time, receiving a 40% commission on all jobs he sold on behalf of the corporate defendant. The plaintiff claimed that he entered into the agreement based upon that promise. The complaint states that the agreement was honored until January 20, 2006. Count III described a mere breach of a promise to do something in the future, which is not actionable fraud. Therefore, the demurrer was sustained.

The defendant also made a demurrer to Count IV of the complaint arguing that the conversion claim was barred by the gist of the action doctrine and/or the economic loss doctrine. The conversion ascribed to the defendants in the complaint was not the gist of the action, as the plaintiff alleged that the conversion of his stock was the result of

the defendants' breach of the agreement. The plaintiff wholly relied on the alleged breach of the agreement to prove the conversion claim. Therefore, the gist of the action barred the conversion claim and the demurrer was sustained.

The defendant's motion to strike the plaintiff's demand for a jury trial was overruled. The defendants argued that because the complaint predominantly sought equitable relief, the plaintiff was not entitled to a jury trial. The plaintiff was entitled to a jury trial on his claims for damages, and it was premature to determine the trial procedure in the instant case.

The defendant's motion to strike paragraph 27 of the complaint as scandalous and impertinent was deemed moot, as that paragraph was contained in Count III which was dismissed. In any event, the allegations in paragraph 27 would have been stricken as scandalous and impertinent as they were an attempt to attack the moral character of the individual defendant and alleged a crime not necessary to be proven in this action and irrelevant to any of the causes of action in this case.

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**COMMONWEALTH OF PENNSYLVANIA v.  
JAMES RODNEY STEPP, DEFENDANT**

*Reasonable Suspicion—Traffic Stop—PA.C.S.A. §6308(b)*

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division, No. 2006-CR-1384.

Opinion and Order of Court denying defendant's Motion to Suppress Evidence/Quash the Information.

Michael A. Filingo, Esquire for the Commonwealth.

Harold J.J. Dewalt, JR., Esquire for Defendant.

Opinion and Order of Court filed on October 25, 2006 by Anthony S. Beltrami, J.

**DESCRIPTION OF DECISION**

On February 23, 2006, Officer Jason Nothstein, of the Walnut Borough Police Department was traveling west on Main Street in Walnutport when the defendant's vehicle, which was traveling in the opposite direction at a high rate of speed, crossed the double yellow line and nearly sideswiped the officer's vehicle. Officer Nothstein observed the vehicle remain over the double yellow line for approximately 150 feet. The officer pursued the vehicle and observed the defendant fail to stop at a flashing red traffic signal at the intersection of State Route 145 and Main Street. The officer pulled behind the defendant's vehicle as it was stopped at the red light at the intersection of Route 248 and West Mountain View Drive. When the light turned green, the defendant accelerated at a high rate of speed, at which point Officer Nothstein initiated a traffic stop by activating his emergency lights. Upon approaching the defendant, the officer detected a strong odor of alcohol on the defendant's breath and observed that defendant had glassy, bloodshot eyes and spoke with extremely slurred speech. The defendant then gave the officer an instruction sheet for a car stereo when asked for his registration. The defendant staggered heavily upon exiting his vehicle and failed two field sobriety tests. The defendant was placed under arrest and transported to Palmerton Hospital where a blood sample was taken, revealing a blood alcohol level of .23%.

The defendant's motion to suppress evidence was based on a claim that Officer Nothstein did not possess "probable cause" to believe that the defendant or his vehicle were in violation of any provision of the motor vehicle code. However, pursuant to 75 Pa. C.S.A. §6308(b), as revised in 2004, the officer was only required to have "reason-

able suspicion that a violation of [the motor vehicle code] is occurring or has occurred” to initiate a traffic stop. Based upon the record before the court, the officer possessed a reasonable suspicion that violations of sections 3301(a) (driving on right side of roadway) and 3114(a)(1) (flashing signals) of the motor vehicle code had occurred. That being the case, the traffic stop was not illegal and the defendant’s motion to suppress evidence was denied.

The defendant’s motion to quash the information was based upon the argument that if the court were to suppress the evidence, the Commonwealth would be without a prima facie case based upon admissible evidence. As the evidence in question was not suppressed, this motion was without merit. Even if the evidence had been suppressed, the remedy for illegally obtained evidence is suppression of that evidence, not dismissal of the case.

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**335 MOORESTOWN, LLC, PLAINTIFF v. REINSFELDER, INC. AND  
MALCOLM CAMPBELL a/k/a AMK LOGISTICS, DEFENDANTS**

*Demurrer—Pa. R.C.P. No. 1028(a)(4)*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C-48-CV-2006-5312.

Order of Court sustaining the Preliminary Objections of Defendant Malcolm Campbell, a/k/a AMK Logistics.

Scott B. Allinson, Esquire and Megan D. Dalton, Esquire for Plaintiff.

Arthur Bloom, Esquire for Defendant Reinsfelder, Inc.

Brian F. Achey, Esquire for Defendant Malcolm Campbell a/k/a AMK Logistics.

Order of Court entered October 26, 2006 by Anthony S. Beltrami, J.

**DESCRIPTION OF DECISION**

The plaintiff’s complaint sought recovery of rent and utilities allegedly owed to the plaintiff by the defendants under the terms of a commercial lease agreement.

The defendant’s objection in the nature of a demurrer was based on a claim that because he was not a party to the lease agreement, there was no privity of contract and the plaintiff’s complaint failed to state a claim against him. In its complaint, the plaintiff conceded that Campbell was an agent for Reinsfelder and that the plaintiff and Reinsfelder entered into the lease agreement. The lease agreement identified the plaintiff and Reinsfelder as the parties to the lease. While the agreement was signed by Reinsfelder’s agent, Campbell, the plaintiff pleaded no facts showing that Campbell agreed to be personally responsible to the plaintiff or that Campbell acted outside the scope of his authority. For all of these reasons, the plaintiff’s complaint failed to state a cause of action against Campbell and the demurrer was sustained.

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