

Northampton County Reporter

(USPS 395-280)

VOL. LVI

EASTON, PA June 16, 2011

NO. 76

**In Re: Petition for Initiative to Prevent the Sale and/or Lease of Gracedale filed with the
Northampton County Elections Commission on January 18, 2011**

**In Re: Petition for Initiative to Prevent the Sale and/or lease of Gracedale filed with
the Northampton County Elections Commission January 18, 2001**

CONTENTS

Audit—Orphans' Court.....	10	Legal Notices.....	11
Bar News.....	3	Limited Liability Company Notice.....	10
Estate Notices.....	4	Notices of Incorporation.....	9
Fictitious Name Registration Notices.....	10	Sheriff's Sales.....	16

INSERT: Pink: 1. "Employment Law Update: Big Changes, Big Risks"

2. 2011 Calendar

3. Philadelphia Phillies vs. New York Mets

4. PBI/CLE Seminars—NCBA Office, June—September 2011

Cream: 1. 2011 Summer Outing

NOTICE TO THE BAR...

The ARD and ARD/DUI lists are now available on the Court's website at nccpa.org.

The CRN Evaluation and Alcohol Highway Safety Program for all DUI offenders are now being coordinated through the Court's DUI Program. Attorneys are instructed to advise all clients to contact the DUI Program at 610-559-6825 to schedule either of these requirements.

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

**NORTHAMPTON COUNTY BAR ASSOCIATION
2011 BAR ASSOCIATION OFFICERS**

Kerry S. Freidl President
Victor E. Scomillio President-elect
Stanley J. Margle, III Vice President
Christopher M. Reid Treasurer
Abraham P. Kassis Secretary
Jacqueline M. Taschner Past President

BOARD OF GOVERNORS

Kevin F. Danyi
Robert M. Donchez
Alyssa A. Lopiano-Reilly
Jessica Frisch Moyer
Samuel P. Murray
Michael P. Shay
Matthew C. Potts

ZONE II DELEGATES

Michael C. Deschler
Barbara L. Hollenbach
Nicholas Noel, III
Joel M. Scheer
Michael P. Shay
Ronald W. Shipman
Jacqueline M. Taschner

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

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

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.

Subscription Price—\$75.00 per year.

Periodical Postage Paid at Easton, PA and additional office.

Postmaster: Send all communications and address changes to:

NORTHAMPTON COUNTY REPORTER

155 South Ninth St., Easton, PA 18042-4399

Telephone (610) 258-6333 FAX (610) 258-8715

Edward P. Shaughnessy, Esquire

Editor

NOTICE TO NCBA MEMBERS – BAR NEWS

Annual Summer Outing – Thursday, July 21, 2011

Don't miss out on a relaxing and fun day!

Registration form inside.

USI Affinity – Save an additional 5% on Liability Insurance

Members may be able to save 5 percent—an average of \$200—on their professional liability insurance* by viewing a webinar offered by the PBA in partnership with USI Affinity and Swiss Re. This savings is in addition to the discount received at the Malpractice Avoidance Seminar. The webinar, a Swiss Re PowerPoint presentation, focuses on documentation, risk management and the Rules of Professional Conduct. To view the webinar go to www.pabar.org, and scroll down to the notice (member login required). **To receive the discount, 50 percent of the lawyers in a law firm must complete the webinar and must be PBA members. A PBA member solo practitioner qualifies for the discount by completing the webinar.*

It's good sportsmanship to not pick up lost golf balls while they are still rolling.
~ Mark Twain

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**BACON, GRANT A., JR.,** dec'd.

Late of the City of Easton, Northampton County, PA
Administratrix: Babette D. Calcagnetti, 43312 Winfield Terrace, Easton, PA 18045

CADIRA, CARRIE M., dec'd.

Late of the Township of Palmer, Northampton County, PA
Executrix: Gloria Mae LaBarre c/o Nicholas R. Sabatine, III, Esquire, 16 S. Broadway, Suite 1, Wind Gap, PA 18091
Attorney: Nicholas R. Sabatine, III, Esquire, 16 S. Broadway, Suite 1, Wind Gap, PA 18091

CASEY, ROSALIENE a/k/a ROSALIENE A. CASEY, dec'd.

Late of the Borough of Wilson, Northampton County, PA
Executrix: Joanne C. Mack c/o Theodore R. Lewis, Esquire, Lewis and Walters, 46 S. 4th Street, P.O. Box A, Easton, PA 18044-2099
Attorneys: Theodore R. Lewis, Esquire, Lewis and Walters, 46 S. 4th Street, P.O. Box A, Easton, PA 18044-2099

FAIR, DOROTHY E. a/k/a DOROTHY E. HERYLA, dec'd.

Late of Palmer Township, Northampton County, PA

Executor: Steve Heryla a/k/a Steve Heryla, II c/o Joel M. Scheer, Esquire, Fishbone & Scheer, 940 W. Lafayette Street, Easton, PA 18042

Attorneys: Joel M. Scheer, Esquire, Fishbone & Scheer, 940 W. Lafayette Street, Easton, PA 18042

GERSTENBERG, ANNETTE Y., dec'd.

Late of the Borough of Hellertown, Northampton County, PA
Executor: Glenn A. Trapp 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

HANN, DAWN, dec'd.

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

Co-Administrators: Stephanie R. Hann and Nathan L. Hann c/o P. Christopher Cotturo, Esquire, Attorney-at-Law, 75 Bangor Junction Road, Bangor, PA 18013

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

HILL, ARTHUR E., SR. a/k/a ARTHUR EUGENE HILL, SR., dec'd.

Late of the Township of Forks, Northampton County, PA
Administratrix: Melody A. Rotzell, 320 Locke Heights Road, Bangor, PA 18013

Attorney: Beth A. Knickerbocker, Esquire, 101 South Third Street, Suite 203, Easton, PA 18042

HOSKING, KATHERINE, dec'd.

Late of the Township of Bethlehem, Northampton County, PA
Administrator C.T.A.: Steven N. Goudsouzian, Esquire, 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283
Attorney: Steven N. Goudsouzian, Esquire, 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

JACKOWSKI, GREGORY JOHN, dec'd.

Late of 320 W. Moorestown Road, Nazareth, Northampton County, PA
Administratrix: Lori Ann Mertus, 2521 Apple Street, Hellertown, PA 18055
Attorney: William G. Malkames, Esquire, 509 W. Linden Street, Allentown, PA 18101-1415

JUKNEVIC, STANLEY L., dec'd.

Late of the Borough of Wilson, Northampton County, PA
Co-Executors: Lenore Barnes, 1557 Ferry Street, Easton, PA 18042 and Stanley L. Juknevic, Jr., 606 Oakwood Street, Easton, PA 18042
Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza LLP, 1 South Main Street, Nazareth, PA 18064

KEMMERER, DEAN W., dec'd.

Late of the Township of Allen, Northampton County, PA
Administratrices: Tina Schultz and Christy L. Kemmerer 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

KIBLER, WILLIAM J., dec'd.

Late of Bethlehem, Northampton County, PA
Executrix: Cynthia A. Kramer c/o William W. Matz, Jr., Esquire, 211 W. Broad Street, Bethlehem, PA 18018-5517
Attorney: William W. Matz, Jr., Esquire, 211 W. Broad Street, Bethlehem, PA 18018-5517

LATORRACA, ELEANOR M., dec'd.

Late of the City of Easton, Northampton County, PA
Executrix: Lynda Smith, 619 Hamilton Street, Palmerton, PA 18071
Attorney: Marianne S. Lavelle, Esquire, 415 Mahoning Street, Lehighton, PA 18235

LUCAS, LOUIS JOHN, JR. a/k/a LOUIS J. LUCAS, JR., dec'd.

Late of the City of Bethlehem, Northampton County, PA
Administrator: Ronald C. Lucas c/o Ellen M. Kraft, Esquire, 3400 Bath Pike, Suite 311, Bethlehem, PA 18017-2485
Attorney: Ellen M. Kraft, Esquire, 3400 Bath Pike, Suite 311, Bethlehem, PA 18017-2485

LUTZ, RICHARD C., dec'd.

Late of 1034 Blue Mountain Drive, Danielsville, Northampton County, PA
Administrators: David Gregory Lutz, 2224 Washington Avenue, Northampton, PA 18067 and Richard C. Lutz, Jr., 716 South Muhlenberg Street, Allentown, PA 18103
Attorney: William Kurt Malkames, Esquire, 509 W. Linden Street, Allentown, PA 18101-1415

MELLOY, GEORGE F., dec'd.

Late of the City of Bethlehem,
Northampton County, PA

Executrix: Beth M. Masiado
a/k/a Beth A. Masiado c/o Ellen
M. Kraft, Esquire, 3400 Bath
Pike, Suite 311, Bethlehem, PA
18017-2485

Attorney: Ellen M. Kraft, Esquire,
3400 Bath Pike, Suite 311, Beth-
lehem, PA 18017-2485

PETERSON, GEORGE, JR., dec'd.

Late of Bethlehem, Northampton
County, PA

Administratrix: Loretta Peterson
c/o Dennis P. Ortwein, Esquire,
5201 William Penn Highway,
Easton, PA 18045

Attorney: Dennis P. Ortwein,
Esquire, 5201 William Penn
Highway, Easton, PA 18045

RAHN, SALLY a/k/a SALLY J.

RAHN, dec'd.

Late of Bethlehem, Northampton
County, PA

Executor: Todd Rahn, 5412
Colony Drive, Bethlehem, PA
18017

Attorneys: David B. Shulman,
Esquire, Shulman & Shabbick,
1935 Center Street, Northamp-
ton, PA 18067

SAVERCOOL, GEORGE A., dec'd.

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

Executrix: Charlene L. Savercool,
238 W. Highland Terrace, Naza-
reth, PA 18064

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

SCHRENKO, CAROLINE E., dec'd.

Late of Upper Nazareth Town-
ship, Northampton County, PA

Executor: Louis S. Schrenko, Jr.,
R.D. 7, Box 7432, Terrace Drive,
Stroudsburg, PA 18360-8677

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

SOCHANSKI, ANNA B., dec'd.

Late of Bethlehem, Northampton
County, PA

Executrix: Estelle Hines, 6401
Larch Lane, Macungie, PA 18062

**THATCHER, HELEN KEENAN
a/k/a HELEN K. THATCHER,**
dec'd.

Late of the City of Bethlehem,
Northampton County, PA

Executor: William F. Thatcher
c/o Thomas L. Walters, Esquire,
Lewis and Walters, 46 S. 4th
Street, P.O. Box A, Easton, PA
18044-2099

Attorneys: Thomas L. Walters,
Esquire, Lewis and Walters, 46
S. 4th Street, P.O. Box A, Easton,
PA 18044-2099

VRESK, JOSEPH S., dec'd.

Late of the City of Bethlehem,
Northampton County, PA

Executrices: Mary Margaret
Vresk and Margaret Mary Vresk
c/o Frank J. Danyi, Jr., Esquire,
Maloney, Danyi, O'Donnell &
Tranter, 901 West Lehigh Street,
Bethlehem, PA 18018

Attorneys: Frank J. Danyi, Jr.,
Esquire, Maloney, Danyi,
O'Donnell & Tranter, 901 West
Lehigh Street, Bethlehem, PA
18018

SECOND PUBLICATION**BREISCH, LORETTA M.,** dec'd.

Late of Northampton, North-
ampton County, PA

Personal Representative: Lori
Kibler

Attorneys: Paul S. Frank, Esquire, King Spry Herman Freund & Faul LLC, One West Broad Street, Suite 700, Bethlehem, PA 18018

CHANDLER, WILLIAM A., dec'd.

Late of the City of Bethlehem, Northampton County, PA
Executor: Wayne A. Werner c/o William P. Leeson, Esquire, Leeson, Leeson & Leeson, 70 E. Broad Street, P.O. Box 1426, Bethlehem, PA 18016-1426
Attorneys: William P. Leeson, Esquire, Leeson, Leeson & Leeson, 70 E. Broad Street, P.O. Box 1426, Bethlehem, PA 18016-1426

GRAFFIN, DORIS, dec'd.

Late of the Township of Upper Mt. Bethel, Northampton County, PA
Executors: John J. Trimper, Kathy A. Ruggiero and Lee E. Trimper 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

GRUBB, ANDREA C., dec'd.

Late of the City of Bethlehem, Northampton County, PA
Executrices: Gail Reichard and Cynthia Grebs c/o John J. Bartos, Esquire, 100 Brodhead Road, Suite 130, Bethlehem, PA 18017
Attorney: John J. Bartos, Esquire, 100 Brodhead Road, Suite 130, Bethlehem, PA 18017

KEOWN, JOHN D., dec'd.

Late of the City of Bethlehem, Northampton County, PA
Executor: Leslie R. Crown c/o Judith A. Harris, Esquire, Tall-

man, Hudders & Sorrentino, PA Office of Norris, McLaughlin & Marcus, P.A., 1611 Pond Road, Suite 300, Allentown, PA 18104-2258

Attorneys: Judith A. Harris, Esquire, Tallman, Hudders & Sorrentino, PA Office of Norris, McLaughlin & Marcus, P.A., 1611 Pond Road, Suite 300, Allentown, PA 18104-2258

LINDENMOYER, MABEL E., dec'd.

Late of Allen Township, Northampton County, PA
Executor: Raymond H. Lindenmoyer, Jr. c/o Frank M. Skrapits, Esquire, Steckel and Stopp, 2152 Main Street, Northampton, PA 18067-1211

LUECKE, HELEN H., dec'd.

Late of Forks Township, Northampton County, PA
Executor: Charles H. Luecke, III, 116 Forks Ave., Easton, PA 18040

OLSZEWSKI, LAURA E., dec'd.

Late of the Township of Forks, Northampton County, PA
Executrix: Patricia E. Byron, 438 Old Mill Road, Easton, PA 18040
Attorney: Louis S. Minotti, Jr., Esquire, 44 North Second Street, P.O. Box 468, Easton, PA 18042

RUDOLPH, JOSEPH A., dec'd.

Late of the City of Bethlehem, Northampton County, PA
Co-Executrices: Kathleen A. Dieter and Margaret Kelly c/o John A. Zapf, II, Esquire, 628 W. Broad Street, Bethlehem, PA 18018
Attorney: John A. Zapf, II, Esquire, 628 W. Broad Street, Bethlehem, PA 18018

SCEURMAN, MARJORIE B., dec'd.

Late of the City of Easton, Northampton County, PA

Executor: Larry N. Scurman
c/o Dionysios C. Pappas, Es-
quire, 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

STILES, WARREN R., dec'd.

Late of the Township of Upper
Mt. Bethel, Northampton Coun-
ty, PA

Co-Executrices: Marsha Stiles,
670 Lexington Road, Nazareth,
PA 18064, Deanna Heilman, 403
Walnut Grove, East Strouds-
burg, PA 18301 and Andrea
Lane, 143 O.W. Road, Bangor,
PA 18013

Attorneys: Peters, Moritz, Pei-
schl, Zulick, Landes & Brienza
LLP, 1 South Main Street, Naza-
reth, PA 18064

THIRD PUBLICATION

HUNYET, LUCY, dec'd.

Late of the City of Bethlehem,
Northampton County, PA
Executrix: Karen McKinley c/o
Michael E. Riskin, Esquire,
Riskin and Riskin, 18 E. Market
St., P.O. Box 1446, Bethlehem,
PA 18016-1446

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

KELCHNER, FRANCES A., dec'd.

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

Executor: Neil W. Kelchner c/o
Alfred S. Pierce, Esquire, Pierce
& Dally, LLP, 124 Belvidere
Street, Nazareth, PA 18064

Attorneys: Alfred S. Pierce, Es-
quire, Pierce & Dally, LLP, 124
Belvidere Street, Nazareth, PA
18064

KOKOLUS, MINNIE F., dec'd.

Late of the Township of Bushkill,
Northampton County, PA

Executors: Paul Kokolus, Jr. and
Mary Louise Schlegel c/o Alfred
S. Pierce, Esquire, Pierce &
Dally, LLP, 124 Belvidere Street,
Nazareth, PA 18064

Attorneys: Alfred S. Pierce, Es-
quire, Pierce & Dally, LLP, 124
Belvidere Street, Nazareth, PA
18064

**LaBARR, KARL K., JR. a/k/a
KARL K. LaBARR,** dec'd.

Late of the Township of Bethle-
hem, Northampton County, PA
Administratrix: Jill L. Hunt, 132
Silo Circle, Nazareth, PA 18064
Attorneys: Peters, Moritz, Pei-
schl, Zulick, Landes & Brienza,
LLP, 1 South Main Street, Naza-
reth, PA 18064

McKINNEY, RUTH W., dec'd.

Late of Northampton County, PA
Executor: Kevin L. McKinney c/o
Nancy K. Busch, Esquire, 825
North 19th Street, Allentown, PA
18104

Attorney: Nancy K. Busch, Es-
quire, 825 North 19th Street,
Allentown, PA 18104

**MEIXELL, CHARLES W. a/k/a
CHARLES W. MEIXELL, SR.
a/k/a CHARLES MEIXELL,**
dec'd.

Late of Hellertown Borough,
Northampton County, PA
Administrator C.T.A.: Michael O.
Meixell c/o Stephanie E. Mur-
phy, Esquire, High Swartz LLP,
40 E. Airy St., P.O. Box 671,
Norristown, PA 19404

Attorneys: Stephanie E. Murphy, Esquire, High Swartz LLP, 40 E. Airy St., P.O. Box 671, Norristown, PA 19404

NANGLE, LUELLA H. a/k/a LUELLA NANGLE, dec'd.

Late of the Borough of Portland, Northampton County, PA
Executrix: Denise L. Nangle 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

RINEHART, JoANN, dec'd.

Late of the City of Bethlehem, Northampton County, PA
Executor: David B. Rinehart 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

RONCA, ANNA a/k/a ANNA L. RONCA a/k/a ANNE RONCA, dec'd.

Late of the Borough of Nazareth, Northampton County, PA
Administratrix: Mary Ann Snell, Esquire c/o Mary Ann Snell, Esquire, 3400 Bath Pike, Suite 311, Bethlehem, PA 18017
Attorney: Mary Ann Snell, Esquire, 3400 Bath Pike, Suite 311, Bethlehem, PA 18017

SEIER, RICHARD, dec'd.

Late of Moore Township, Northampton County, PA
Executor: Alexander Seier, 614 Midway Street, Neptune Beach, FL 32266

TATKOVSKY, ELAINE G., dec'd.

Late of the Borough of Hellertown, Northampton County, PA
Administratrix: Tracy Tatkovsky a/k/a Tracy A. Kichline 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

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

The name of the Corporation is:

EW HULIHAN AND ASSOCIATES, INC.

The Articles of Incorporation were filed on June 3, 2011.

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

June 16

NOTICE IS HEREBY GIVEN that:

LUCENT PHYSICIANS INC.

has been organized under the business corporation law of 1988, as amended, and has filed Articles of Incorporation with Pennsylvania Department of State on May 19, 2011.

Raj Nagra
4179 Rexford Dr.
Bethlehem, PA 18020
(917) 442-1799

June 16

**FICTITIOUS NAME
REGISTRATION NOTICES**

NOTICE IS HEREBY GIVEN that an Application for Registration of Fictitious Name was filed in the Commonwealth of Pennsylvania on January 11, 2011 for:

CFG SOLUTIONS

located at: 5875 Shady Lane, Nazareth, PA 18064. The name and address of the individual interested in the business is: Charles F. Gallagher, 5875 Shady Lane, Nazareth, PA 18064. This was filed in accordance with 54 Pa. C.S. 311.

June 16

NOTICE IS HEREBY GIVEN that an Application for Registration of Fictitious Name was filed in the Commonwealth of Pennsylvania on February 1, 2011 for:

CMS RENOVATIONS

located at: 1771 Rhine Pl., Easton, PA 18045. The name and address of the individual interested in the business is: Joshua R. Seemar, 1771 Rhine Pl., Easton, PA 18045. This was filed in accordance with 54 Pa. C.S. 311.

June 16

NOTICE IS HEREBY GIVEN that an Application for Registration of Fictitious Name was filed in the Commonwealth of Pennsylvania on December 9, 2010 for:

G RAY MUSIC

located at: 44 Creek Rd., Bangor, PA 18013. The name and address of the individual interested in the business is: Gregory Smith, 44 Creek Rd., Bangor, PA 18013. This was filed in accordance with 54 Pa. C.S. 311.

June 16

**LIMITED LIABILITY COMPANY
NOTICE**

NOTICE IS HEREBY GIVEN that a Certificate of Organization has been filed with the Department of State of

the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining approval of a Limited Liability Company organized under the provisions of the Limited Liability Company Act approved December 7, 1994, as amended (15 Pa. C.S. Sec. 8913).

The name of the limited liability company is:

**ESHLEMAN SNOW
REMOVAL, LLC**

The Certificate of Organization was filed on June 3, 2011.

ROBERT P. DADAY, ESQUIRE
LAW OFFICES OF
ROBERT P. DADAY

1042 W. Walnut Street
Allentown, PA 18102
(610) 740-0300

June 16

**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

ETHEL A. BARTHOLOMEW; Rebecca Bartholomew, Executrix

JOHN GILBERT DICKERT; Bank of America, N.A., Guardian

MARY A. HAMMEL; Daniel Marakovits, Executor

DOUGLAS H. SEYFRIED; David M. Seyfried, Executor

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: JUNE 24, 2011 AT 9:00 A.M. IN COURTROOM #1.

Dorothy L. Cole
Clerk of the Orphans' Court
June 9, 16

**PUBLIC NOTICE OF DEEMED
APPROVAL**

The Appeal of Susan E. Crivellaro, 985 Berger Road, Williams Township, Northampton County, Pennsylvania from Williams Township Enforcement Notices dated December 2, 2010 and Cease and Desist—Stop Work Order dated December 2, 2010 was delivered December 30, 2010, to Williams Township, via hand delivery.

The Williams Township Zoning Hearing Board scheduled hearing for February 2, 2011. Williams Township “cancelled” the February 2, 2011 hearing and subsequently scheduled hearing for Wednesday, March 2, 2011.

53 P.S. §10908 (1.2) states “The first hearing before the Board or Hearing Officer shall be commenced within 60 days from the date of receipt of the Applicants Application, unless the Applicant has agreed in writing to an extension of time.” For failure of the Williams Township Zoning Hearing Board to comply with 53 P.S. §10908 (1.2) et seq., the Appeal of Susan E. Crivellaro, filed December 30, 2010, is deemed approved.

CHRISTOPHER T. SPADONI,
ESQUIRE

Attorney for Susan E. Crivellaro
1413 Easton Avenue
P.O. Box 522
Bethlehem, PA 18016-1409
(610) 867-3938
FAX (610) 625-4788

June 9, 16

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

IN THE MATTER OF PETITION FOR
CHANGE OF NAME OF PRANAV A.

GADA, PETITIONER

NO. C-48CV2011-5204

NOTICE OF NAME CHANGE

NOTICE IS HEREBY GIVEN that on June 9, 2011, the Petition for Change of Name, filed by Petitioner, PRANAV A. GADA, was filed in the above-named Court, praying for a decree to change his/her name to PRANAV M. SUMARIA. The Court has fixed July 11, 2011, in Courtroom 4, at the Northampton County Courthouse, 669 Washington Street, Easton, PA 18042 at 9:00 o'clock a.m., as the time and place for the hearing of said Petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of the said petition should not be granted.

GEORGE M. BAURKOT, ESQUIRE
Attorney I.D. No. 07905
BAURKOT & BAURKOT
Attorneys for Petitioner

227 S. 7th Street
Easton, PA 18042-4315
(610) 258-2393

June 16

**COURT OF COMMON PLEAS OF
NORTHAMPTON COUNTY,
PENNSYLVANIA
CIVIL ACTION—LAW
CASE NO. 2009-CV-4765**

TO: Daniel Appelby, Defendant

YOU ARE HEREBY SUMMONED in a Civil Action filed in the Court of Common Pleas of Northampton County, Pennsylvania by Jeffrey S. Darling, as Plaintiff against Daniel Appelby, as Defendant. This lawsuit was instituted as a result of an trip and fall incident which occurred on or about July 2, 2007, on real property and improvements owned, occupied and/or in exclusive control of the Defendant, Daniel Appelby, commonly known as 5576 N. Delaware Drive, in the Township of Lower Mt. Bethel, Northampton County, Pennsylvania. As a direct and proximate result of the Defendant's failure to

maintain and keep the property in a reasonably safe condition, the Plaintiff has sustained personal injuries.

If you wish to defend against the claims set forth herein you must take action within twenty (20) days from the date of this Notice, by entering a written appearance, personally or by attorney, and filing, in writing, your defenses or objections to the claims set forth against you. You must file your answer or appearance with the Northampton County Prothonotary's Office at 669 Washington Street, Easton, Pennsylvania 18042. You must also send a copy of your answer or appearance to Plaintiff's attorney at the following address: Scott M. Wilhelm, Esq., Winegar, Wilhelm, Glynn & Roemersma, P.C., 305 Roseberry Street, P.O. Box 800, Phillipsburg, New Jersey 08865.

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.

A telephone call will not protect your rights; you must file and serve a written answer or appearance (with fee) if you want the Court to hear your defense.

If you do not file and serve a written answer or appearance by the deadline noted above, the Court may enter a judgment against you for the relief Plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services Office in the County where you live. If you

do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling:

Northampton County
Bar Association
Lawyer Referral Service
155 South Ninth Street
Easton, Pennsylvania
(610) 258-6333

June 16

NOTICE OF INTENTION TO ADOPT RESOLUTION

NOTICE IS HEREBY GIVEN that at its regularly scheduled meeting on June 27, 2011 at 7:30 p.m., at the Slater Conference Room, at the Bangor Area School District's Administration Office, 123 Five Points Richmond Road, Bangor, Pennsylvania, the Board of School Directors of Bangor Area School District intends to adopt a Resolution, of which this Notice is a summary:

A RESOLUTION OF BANGOR AREA SCHOOL DISTRICT, NORTHAMPTON COUNTY, PENNSYLVANIA, RE-ADOPTING, RESTATING AND AMENDING ITS EARNED INCOME TAX RESOLUTION TO ESTABLISH CONFORMITY WITH THE LOCAL TAX ENABLING ACT AS AMENDED BY ACT 32 OF JULY 2, 2008; LEVYING A TAX ON EARNED INCOME AND NET PROFITS; REQUIRING TAX RETURNS; REQUIRING EMPLOYERS TO WITHHOLD AND REMIT TAX; PROVIDING FOR INTEREST, PENALTIES, COSTS AND FINES FOR VIOLATIONS AND NON-PAYMENT OF TAX; PROVIDING FOR SEVERABILITY, PURPOSE/REPEAL, CONSTRUCTION AND EFFECTIVE DATE, AND RELATED PROVISIONS.

The proposed Resolution is being adopted, and notice is being given, pursuant to the Local Tax Enabling Act, 53 P.S. §6924.101, et seq. The

Resolution restates and amends in its entirety the School District's currently existing Earned Income Tax Resolution, as amended, in order to conform to the provisions of the Local Tax Enabling Act, 53 P.S. §6924.101, et seq., as amended and restated by Act 32 of 2008, and to do so within the time frame required by Act 32. The proposed Resolution imposes a tax of one and two-tenths of one percent (1.2%) on the earned income and net profits of residents of the School District; consisting of a one percent (1.0%) Tax pursuant to the general taxing authority provided by the Local Tax Enabling Act and a two-tenths of one percent (0.2%) Tax pursuant to the authority under Chapter 4, Optional Occupation Tax Elimination, of the Local Tax Enabling Act, Sections 6924.401-6924.409. The tax is in addition to any earned income tax levied by the Commonwealth of Pennsylvania or municipality in the School District, but may be subject to certain credits or deductions permitted by law. The tax is imposed for general revenue purposes, including general operating revenue for the School District. The Resolution will be effective January 1, 2012 and continues the tax previously imposed, and at the same rate. The nature of the tax is substantially the same as the earned income tax currently levied, subject to the changes required by Act 32. The Resolution shall apply to earned income and net profits earned or received by a taxpayer during calendar year 2012 and each year thereafter without annual re-enactment unless the rate of tax is subsequently changed. The estimated revenue generated by the tax for the 2011-12 fiscal year is \$3,150,000.

A copy of the full text of the proposed Resolution may be obtained at

the Business Office of the Bangor Area School District, located at the School District's Administration Office, 123 Five Points Richmond Road, Bangor, PA, during regular business hours (Monday through Friday between 8 a.m. and 4 p.m.).

Stephen Wiencek
Business Manager
Bangor Area School District
June 2, 9, 16

NOTICE OF INTENTION TO ADOPT RESOLUTION

NOTICE IS HEREBY GIVEN that at its regularly scheduled meeting on June 23, 2011 at 6:30 p.m., at the Education Center, 1801 Bushkill Drive, Easton, Pennsylvania, 18040, the Board of School Directors of Easton Area School District intends to adopt a Resolution, of which this Notice is a summary:

A RESOLUTION OF EASTON AREA SCHOOL DISTRICT, NORTHAMPTON AND BUCKS COUNTIES, PENNSYLVANIA, RE-ADOPTING, RESTATING AND AMENDING ITS EARNED INCOME TAX RESOLUTION TO ESTABLISH CONFORMITY WITH THE LOCAL TAX ENABLING ACT AS AMENDED BY ACT 32 OF JULY 2, 2008; LEVYING A TAX ON EARNED INCOME AND NET PROFITS; REQUIRING TAX RETURNS; REQUIRING EMPLOYERS TO WITHHOLD AND REMIT TAX; PROVIDING FOR INTEREST, PENALTIES, COSTS AND FINES FOR VIOLATIONS AND NON-PAYMENT OF TAX; PROVIDING FOR SEVERABILITY, PURPOSE/REPEAL, CONSTRUCTION AND EFFECTIVE DATE, AND RELATED PROVISIONS.

The proposed Resolution is being adopted, and notice is being given, pursuant to the Local Tax Enabling Act, 53 P.S. §6924.101, et seq. The Resolution restates and amends in

its entirety the School District's currently existing Earned Income Tax Resolution, as amended, in order to conform to the provisions of the Local Tax Enabling Act, 53 P.S. §6924.101, et seq., as amended and restated by Act 32 of 2008, and to do so within the time frame required by Act 32. The proposed Resolution imposes a tax of one percent (1%) on the earned income and net profits of residents of the School District. The tax is in addition to any earned income tax levied by the Commonwealth of Pennsylvania or municipality in the School District, but may be subject to certain credits or deductions permitted by law. The tax is imposed for general revenue purposes, including general operating revenue for the School District. The Resolution will be effective January 1, 2012 and continues the tax previously imposed, and at the same rate. The nature of the tax is substantially the same as the earned income tax currently levied, subject to the changes required by Act 32. The Resolution shall apply to earned income and net profits earned or received by a taxpayer during calendar year 2012 and each year thereafter without annual re-enactment unless the rate of tax is subsequently changed. The estimated revenue generated by the tax for the 2011-12 fiscal year is \$6,600,000.

A copy of the full text of the proposed Resolution may be obtained at the Business Office of the Easton Area School District, located at the School District's Education Center, 1801 Bushkill Drive, Easton, PA, during regular business hours (Monday through Friday between 8 a.m. and 4 p.m.).

Marie S. Guidry
Business Manager/Treasurer
Easton Area School District
June 2, 9, 16

NOTICE OF INTENTION TO ADOPT RESOLUTION

NOTICE IS HEREBY GIVEN that at its regularly scheduled meeting on June 20, 2011 at 7:30 p.m., in the Walter L. Peters Board Room of the Administration Building, One Education Plaza, Nazareth, Pennsylvania, the Board of School Directors of Nazareth Area School District intends to adopt a Resolution, of which this Notice is a summary:

A RESOLUTION OF NAZARETH AREA SCHOOL DISTRICT, NORTHAMPTON COUNTY, PENNSYLVANIA, RE-ADOPTING, RESTATING AND AMENDING ITS EARNED INCOME TAX RESOLUTION TO ESTABLISH CONFORMITY WITH THE LOCAL TAX ENABLING ACT AS AMENDED BY ACT 32 OF JULY 2, 2008; LEVYING A TAX ON EARNED INCOME AND NET PROFITS; REQUIRING TAX RETURNS; REQUIRING EMPLOYERS TO WITHHOLD AND REMIT TAX; PROVIDING FOR INTEREST, PENALTIES, COSTS AND FINES FOR VIOLATIONS AND NON-PAYMENT OF TAX; PROVIDING FOR SEVERABILITY, PURPOSE/REPEAL, CONSTRUCTION AND EFFECTIVE DATE, AND RELATED PROVISIONS.

The proposed Resolution is being adopted, and notice is being given, pursuant to the Local Tax Enabling Act, 53 P.S. § 6924.101, et seq. The Resolution restates and amends in its entirety the School District's currently existing Earned Income Tax Resolution, as amended, in order to conform to the provisions of the Local Tax Enabling Act, 53 P.S. § 6924.101, et seq., as amended and restated by Act 32 of 2008, and to do so within the time frame required by Act 32. The proposed Resolution imposes a Nazareth Area School District tax of seven-tenths percent (0.70%) on the

earned income and net profits of residents of the School District. The tax is in addition to any earned income tax levied by the Commonwealth of Pennsylvania or municipality in the School District, but may be subject to certain credits or deductions permitted by law. The tax is imposed for general revenue purposes, including general operating revenue for the School District. The Resolution will be effective January 1, 2012 and continues the tax previously imposed, and at the same rate. The nature of the tax is substantially the same as the earned income tax currently levied, subject to the changes required by Act 32. The Resolution shall apply to earned income and net profits earned or received by a taxpayer during calendar year 2012 and each year thereafter without annual re-enactment unless the rate of tax is subsequently changed. The estimated revenue generated by the tax for the 2011-12 fiscal year is \$5,270,000.

A copy of the full text of the proposed Resolution may be obtained at the Business Office of the Nazareth Area School District, located at the School District's Administration Building, One Education Plaza, Nazareth, PA, during regular business hours (Monday through Friday between 8 a.m. and 4 p.m.).

Ms. Bernadine C. Rishcoff
Business Administrator/
Board Secretary
Nazareth Area School District
June 2, 9, 16

**NOTICE OF INTENTION TO
ADOPT RESOLUTION**

NOTICE IS HEREBY GIVEN that the Board of School Directors of the Northampton Area School District intends to readopt, restate and

amend its earned income tax resolution at its regularly scheduled meeting on June, 27, 2011 at 6:30 p.m., at Northampton Area School District, Administration Center, 1st Floor Board Room, 2014 Laubach Avenue, Northampton, Pennsylvania 18067.

The proposed Resolution is being adopted, and notice is being given, pursuant to the Local Tax Enabling Act, as amended and restated by 53 P.S. §6924.101, et seq. and the Optional Occupation Tax Elimination Act, as amended by 53 P.S. §6924.401 et seq. The substantial nature of the tax is a tax imposed on earned income and net profits earned or received by residents and taxpayers of the School District. The reason for the tax is to provide for general revenue of the School District. The Resolution shall apply to earned income and net profits during calendar year 2012 and each year thereafter without annual readoption unless the rate of tax is subsequently changed. The purpose of the Resolution is to conform the School District's current Earned Income Tax Resolution to the provisions of the Local Tax Enabling Act as amended and restated. The tax rate of .7% currently imposed on earned income and net profits remains unchanged. The .7% rate represents a combined rate made up of .5% imposed under the authority of the Local Tax Enabling Act and .2% imposed under the authority of the Optional Occupation Tax Elimination Act. The estimated revenue generated by the tax for the 2011-12 fiscal year is \$6,100,350.00.

A copy of the full text of the proposed Resolution may be obtained at the Business Office of the Northampton Area School District located at the Administration Building, 2014 Laubach Avenue, Northampton, PA

18067, during regular business hours (Monday through Friday between 8:00 a.m. and 4:00 p.m.).

Terry Leh, Secretary
Board of School Directors
June 2, 9, 16

RECEPTIONIST

Full-time position available for receptionist with growing Northampton County/Warren County Law Firm. Pleasant telephone manner and proficient typing with knowledge of Word a must. Please respond with letter of interest and qualifications to Pfeiffer, Bruno, Minotti & DeEsch, Attention: Sharon Thomas, P.O. Box 468, Easton, PA 18044 or email to sthomas@pbmdlaw.com. No telephone calls please.

June 16, 23

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

The following real estate will be sold by the Sheriff of Northampton County, Pennsylvania, on JULY 8, 2011 at ten o'clock a.m. in the COUNCIL CHAMBERS, THIRD 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-2010-12253**

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

BEGINNING at a concrete monument in the corner of the land of

Stephen Best and the northwesterly corner of the Penn Dixie Tract recorded in Deed Book A Volume 39, Page 341; thence along the land of Stephen Best, North 88 degrees 32 minutes West 585.00 feet to a concrete monument; thence still along the same North 2 degrees 12 minutes East 99.00 feet to a concrete monument; thence still along the same, South 88 degrees 32 minutes East 18.50 feet to a concrete monument; thence North 2 degrees 35 minutes East 85.00 feet to a stake; thence along the land now or late of Penn-Dixie Cement Corporation, recorded in Deed Book C, Volume 36, Page 583, South 89 degrees 07 minutes 25 seconds East 1348.75 feet to a stake on the westerly side of the road leading from Moorestown to Route 45; thence along the westerly side of said road, South 5 degrees 14 minutes East 314.93 feet to a stake on the westerly side of said road; thence along land now or late of Penn-Dixie Cement Corporation, of which this was a part, recorded in Deed Book A, Volume 39, Page 341, North 88 degrees, 32 minutes West 821.10 feet to a stake and the land of Stephen Best; thence along the land of Stephen Best North 1 degree 45 minutes East 115.00 feet to the point and place of beginning.

Containing 8.190 acres of land.

Also being known as 3231 Penn Dixie Road, Nazareth, PA, 18064.

BEING the same premises which Lori Yulanavage, single, by deed dated November 30, 2005 and recorded December 15, 2005 in and for Northampton County, Pennsylvania, in Deed Book Volume 2005-1, Page 506318, granted and conveyed unto David Stack and Lori Stack (aka Lori Yulanavage), husband and wife, as tenants by the entirety.

Tax parcel number: K-6-5-5A.

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

SEIZED AND TAKEN into execution of the writ as the property of David Stack and Lori Stack a/k/a Lori Yulanavage.

SCOTT A. DIETTERICK, ESQUIRE

No. 3

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2008-13440**

ALL THAT CERTAIN lot and piece of land and premises situate on the South side of Northampton Street in the said City of Easton, Pennsylvania, containing in front on said Northampton Street fifteen (15 feet) feet and extending of that width in depth Southwardly sixty-seven feet and nine inches (67 feet and 9 inches) to lot now or late of Simon Rice.

BOUNDED on the North by Northampton Street, on the West and south by lot now or late of Henry Laux, and on the East by lot now or late of Diana Carey.

Parcel L9SE1B-25-16.

BEING KNOWN AS: 614 Northampton Street, Easton, PA 18042.

THEREON BEING ERECTED a three-story apartment building with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Joseph Basso and Joseph V. Scorese. MICHAEL T. MCKEEVER, ESQUIRE

No. 4

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-2833**

ALL THAT CERTAIN messuage, tenement and lot or piece of ground situate on the Westerly side of Forks

Church Road in the Township of Forks, County of Northampton, Commonwealth of Pennsylvania as shown on a plan prepared by Kenneth R. Hahn R.S. drawing No. 85-11 dated January 14, 1985 bounded and described as follows:

BEGINNING at a pointing the centerline of Forks Church Road;

THENCE extending along the Southerly property line of Salem Union Church of Forks, South 61 degrees 51 minutes West, 95.00 feet to a point;

THENCE still along same lands, South 27 degrees 45 minutes East, 125.90 feet to a point;

THENCE extending along the Northerly property line of Warren Werkheiser as recorded in deed book 201 on page 251, North 61 degrees 51 minutes East, 91.81 feet to a point in the centerline of Forks Church Road;

THENCE EXTENDING ALONG THE CENTERLINE OF SAID ROAD; North 26 degrees 18 minutes West, 125.96 feet to the place of beginning.

Containing 11,759.25 square feet, 0.27 acres.

BEING THE SAME PREMISES BY DEED FROM GEORGE M. LANSKI & ELOISE C. LANSKI, HUSBAND AND WIFE, DATED 08/30/05 AND RECORDED 09/01/05 IN BOOK 2005-1 PAGE 338984 GRANTED AND CONVEYED UNTO SAMUEL AMARO JR. AND MAIJA BLUE BURD.

TAX PARCEL NO: J9810311.

BEING KNOWN AS 4316 FORKS CHURCH ROAD, EASTON PA 18040.

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

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

Samuel Amaro, Jr. and Maija Blue
Amaro a/k/a Maija Blue Burd.
MICHAEL T. McKEEVER, ESQUIRE

No. 5**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-7656**

ALL THAT CERTAIN message or tenement and lot or piece of ground situate, lying and being in the Borough of Hellertown, in the County of Northampton, in the Commonwealth of Pennsylvania, being known as 203 Cedar Road according to present Borough numbering and consisting of and being designated as Lot No. 29 in Block No. 11, on the map entitled "Rentzheimer Farm Development, Section C, Mountainview-Property of Bethlehem Steel Company—Located in Borough of Hellertown, Northampton County, Pennsylvania" dated November 6, 1947, revised April 13, 1948, which is filed in the Office for the Recording of Deeds, etc., in and for said County of Northampton in Map Book Volume 12, page 9.

BEING KNOWN as 203 Cedar Road, Hellertown, PA.

PARCEL NO.: Q7SE4A-8-21.

BEING the same premises which Paul N. Kittek and Beverly A. Kittek, husband and wife by Deed dated 7/31/1973 and recorded 8/2/1973, in Book 465, Page 425, granted and conveyed unto Michael McKeta and Patricia McKeta, husband and wife, in fee.

THEREON BEING ERECTED a two-story single cape cod style dwelling with aluminum siding and stucco exterior and shingle roof.

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

CHRISTOPHER A. DeNARDO,
ESQUIRE

No. 6**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-12500**

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

BEGINNING at a corner on the East side of North Third Street, (formerly known as First Street); thence along Lot No. 19 on plan of lots South eighty-one and one-quarter degrees East one hundred and thirty-five feet to a corner of what was formerly known as Lobb's Alley; thence along said alley North eighty and one-half degrees East thirty-four feet to a corner; thence along Lot No. 17 North eighty-one and one-quarter degrees West one hundred and thirty-five feet to a corner; thence along the aforesaid street South eighty and one-half degrees West thirty-four feet to the place of Beginning. Containing a lot thirty-four feet front on North Third Street, and one hundred and thirty-five feet deep, adjoining land now or late of Mahlon Stoddard, and other land of previous grantors. The above described property is now known as Nos. 35 & 37 North Third Street.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NO.: MAP: E9NE2A BLOCK: 2 LOT: 9.

BEING KNOWN AS: 35-37 North 3rd Street, Bangor, PA 18013.

PROPERTY ID NO.: (E9NE2A 29-0102).

TITLE TO SAID PREMISES IS VESTED IN JOSEPH C. UNANGST, IV AND BETH A. UNANGST, HIS WIFE BY DEED FROM PATRICK M. CALAFIORE AND NONA S. CALAFIORE, HIS WIFE DATED 07/01/

2002 RECORDED 07/11/2002 AS DOCUMENT NO. 2002035847.

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

SEIZED AND TAKEN into execution of the writ as the property of Joseph C. Unangst, IV and Beth A. Unangst.

STUART WINNEG, ESQUIRE

No. 7

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-7628**

ALL THAT CERTAIN messuage, lot or piece of ground situate in the Borough of Tatamy, County of Northampton and Commonwealth of Pennsylvania, lying on the West side of the public road leading from Messinger's Agricultural Works to Easton, Pennsylvania, now known as Bushkill Street, bounded and described is follows, to wit:

BEGINNING at a point 25 feet North of a post on the West side of Bushkill Street continuing North 25 feet to a post by the side of said street; thence by Lot No. 4 owned by Edwin Babp West 240 feet to a post; thence by lands of George Frank Messinger South 25 feet to a point; thence by lands of John and Anna Drosnock East 240 feet passing through the center wall of a twin dwelling to the place of Beginning.

CONTAINING 6,000 square feet of ground.

SUBJECT TO covenants, restrictions, easements of record and taxes for the current year.

TITLE TO SAID PREMISES IS VESTED IN Robert L. Meckes and Lisa Chuck, by Deed from Anna Hewko, dated 02/27/2003, recorded 03/18/2003 in Book 2003-1, Page 91870.

Premises being: 221 BUSHKILL STREET, TATAMY, PA 18085-7012.

Tax Parcel No. J9SW4A 9 10.

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

SEIZED AND TAKEN into execution of the writ as the property of Robert L. Meckes and Lisa Chuck.

DANIEL G. SCHMIEG, ESQUIRE

No. 8

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-11644**

ALL THAT CERTAIN messuage and lot or piece of land situated in Plainfield Township, Northampton County, Pennsylvania, bounded and described as follows, to wit:

Beginning at an iron pin 7.5 feet southerly from the south edge of the concrete pavement of the state highway leading from Pen Argyl to Wind Gap, said point being 16.5 feet from the center of the state highway, being also 47.05 feet northwardly from the northeast corner of the main northeast corner of the 1 1/2 story frame home on the land herein to be conveyed and being also 44.55 feet northwestwardly from the northwest corner of the main 2 1/2 story from building on other land of the grantor hereof; thence running parallel to the said state highway, and distant 16.5 feet from its center line, S 47 28 minutes W 76.0 feet to an iron pin distant 7.5 feet from the southerly edge of said concrete pavement' thence along land of Arthur Dotter, formerly of Frank Wagner, S 46 30 minutes E 335.0 feet to an iron pin at the center line of intersection of two stone rows; thence following one of the stone rows, along land now or late of, Wilhelm Waltz N 56 E 61.4 feet to an iron pipe on said stone wall; thence along

other land of grantor hereof, of which this was a part, N43 47 minutes W 349.7 feet to the place of Beginning.

The grantees hereof, their heirs and assigns, shall have the right to use the grantors' water service line which supplies the grantees' building with running water, which said water lines runs through the grantor's property, and the grantees hereof, their heirs and assigns, shall have the right to make all necessary repairs to said water line and for such purpose to enter upon the property of the grantor, at any time.

TITLE TO SAID PREMISES IS VESTED IN Robert Shotwell and Lillian Mulford, by Deed from Kenneth Rumsey and Barbara M. Rumsey, by her Power of Attorney Kenneth H. Rumsey, recorded at Record Book 2001-1, Page 259932, dated 12/05/2001, recorded 12/05/2001 in Book 2001-1, Page 259938.

Premises being: 978 PENNSYLVANIA AVENUE, PEN ARGYL, PA 18072-9707 .

Tax Parcel No. E8SW2 11 9 0626.

THEREON BEING ERECTED a two-story single split-level style dwelling with asbestos exterior and shingle roof; detached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Lillian C. Yost a/k/a Lillian Mulford and Robert W. Shotwell a/k/a Robert Shotwell.

DANIEL G. SCHMIEG, ESQUIRE

No. 10

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-11398**

ALL THAT CERTAIN lot and tenement situate, lying and being in the Borough of Hellertown, County of Northampton, State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the Western line of Second Avenue, said point being distant two hundred ninety-four (294) feet South from the intersection of Thomas Avenue at a point in Lot No. 196; thence along the Westerly line of Second Avenue in a Southerly direction a distance of thirty-six (36 feet) feet to a point in Lot No. 198 and of that same width of thirty-six (36 feet) feet between parallel lines at right angles to said Second Avenue extending in a Westerly direction one hundred twenty (120 feet) feet to a fifteen (15 feet) feet wide alley.

BOUNDED on the North by portion of Lot No. 196; on the East by Second Avenue; on the South by portion of Lot No. 198; and on the West by a fifteen (15 feet) feet wide alley.

The same being six (6 feet) feet front of the Southern portion of Lot No. 196, twenty-five (25 feet) feet front of Lot No. 197, and five (5 feet) feet front of the Northern portion of Lot No. 198 according to Plan of building Lots on the 'Koke-Le' addition to the Borough of Hellertown laid out for Phillips and Ruggels. Said map being recorded in the Office of the Recorder of Deeds in and for Northampton County in Map Book Vol. 3, Page 41.

TITLE TO SAID PREMISES IS VESTED IN Mark A. Salvaggio and Greta L. Salvaggio, h/w, by Deed from Robert F. Volko, Executor under the Last Will and Testament of Anne A. Volko, deceased, dated 04/03/1997, recorded 04/21/1997 in Book 1997-1, Page 37188.

Premises being: 1054 2ND AVENUE, HELLERTOWN, PA 18055-1604.

Tax Parcel No. Q7SW2A 3 6 0715.

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

SEIZED AND TAKEN into execution of the writ as the property of Mark A. Salvaggio and Greta L. Salvaggio.
DANIEL G. SCHMIEG, ESQUIRE

No. 11
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-7981

ALL that certain northern half of a double frame dwelling and lot or piece of ground, situate on the West side of Washington Avenue, in the Borough of Northampton, PA, bounded and described as follows to wit:

BEGINNING at a point on the West side of Washington Avenue in line of land of Clinton A. Bilheimer, thence Southward along said Washington Avenue, nineteen feet four inches to a point in line of land now or late of Carrie Snyder, thence Westward along the same and passing through the party wall of a double frame dwelling a distance of one hundred and twenty-five feet to the East side of an eighteen feet alley, thence Northward along said alley, nineteen feet, four inches to a point on Lot #102, now or late owned by Clinton A. Bilheimer, thence Eastward along the last mentioned lot, one hundred and twenty-five feet to the point or place of beginning.

IT BEING the Northern half of Lot#103 on a plan of town lots laid out of the land now or late of John Smith by the Lehigh Engineering Company, C.E. and recorded at Easton, PA, in Map Book No. 2, Page 60.

BEING the same premises which Barbara A. Lewis and Barry J. Mahr, by deed dated September 25, 2002 and recorded in the Office of the Recorder of Deeds of Northampton County on October 2, 2002, at Deed Book Volume 2002-1, Page 265460, granted and conveyed unto Barry J. Mahr.

BEING KNOWN AS 1426 Washington Avenue, Northampton, PA.

TAX PARCEL NUMBER: M4NW2A 2 10 0522.

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

SEIZED AND TAKEN into execution of the writ as the property of Barry J. Mahr.

KRISTINE M. ANTHOU, ESQUIRE

No. 12
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-11641

ALL THAT CERTAIN messuage, tenement and tract of land located at the Northeast corner of East Frankford and Pulaski Streets, in the 9th Ward of the City of Bethlehem, Northampton County, Commonwealth of Pennsylvania, known as 313 East Frankford Street, being bounded and described as follows, to wit:

BEGINNING at a point of intersection of the Northerly property line of East Frankford Street with the Easterly property line of Pulaski Street (20 feet wide); thence along the latter, North 7 degrees 30 minutes East 75 feet to a point; thence along the Southerly property line of 314 East Laurel Street, South 82 degrees 30 minutes East, 14.24 feet to a point; thence along the Westerly property line of 315 East Frankford Street, passing partly in and through a party wall, South 7 degrees 30 minutes West, 75 feet to a point; thence along the Northerly property line of East Frankford Street, North 82 degrees 30 minutes West, 14.24 feet to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Karen Freeman, by Deed from Michael J. Lamb and Marian J.

Lamb, h/w, dated 09/19/2005, recorded 10/04/2005 in book 2005-1, Page 386123.

Premises being: 313 EAST FRANKFORD STREET, a/k/a 313 FRANKFORD STREET, BETHLEHEM, PA 18018-2914.

Tax Parcel No. N6SE4C 13 10 0204.

THEREON BEING ERECTED a two-story row home style dwelling with aluminum siding and stucco exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Karen Freeman.

DANIEL G. SCHMIEG, ESQUIRE

No. 13

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-13896**

TRACT NO. 1—ALL THOSE CERTAIN lots or pieces of land situated in the Township of Palmer, County of Northampton and Commonwealth of Pennsylvania, designated on the plan of lots of the 'Highland Park Land Company,' laid out by C. M. Brady for the parties of the first part, and recorded in the Office for Recording Deeds, etc., at Easton, PA., in and for the said County of Hampton, in Book of Maps No. 6, page 20, etc., as lots number 206 and 207, said lots or piece of land bounded and described as follows:

BOUNDED NORTHERLY BY LOT NO. 208, EASTERLY BY 'D' ST., SOUTHERLY BY LOT NO. 205 AND WESTERLY BY BERKS STREET CONTINUING IN FRONT ON BERKS STREET FOURTY (40) FEET AND EXTENDING IN DEPTH IN AN EASTERLY DIRECTION OF THAT WIDTH ONE HUNDRED FIFTEEN (115) FEET TO 'D' ST.

TRACT NO. 2—ALL THOSE CERTAIN LOTS or parcels of land, situate

in the Township of Palmer, County of Northampton and Commonwealth of Pennsylvania, designated on the plan of lots of 'Highland Park Land Company' laid out by C. M. Brady for Miller S. Willever, Chester Snyder and William J. Danb, and recorded in the office for the recording of deeds, etc., at Easton, PA. in and for said County of Northampton, in Book of Maps #6, Page 620, etc., as lots nos. 208 and 209 Berk Street, Highland Park, Township, County and State aforesaid.

UNDER AND SUBJECT to any and all restrictions, easements, rights of way, covenants and/or encumbrances that may be found in prior instruments of record.

TITLE TO SAID PREMISES IS VESTED IN Mary Luczyszyn, by Deed from Mary Luczyszyn, widow, as her Life Estate interest and Henry Luczyszyn, dated 12/03/2004, recorded 12/13/2004 in Book 2004-1, Page 481582.

Premises being: 110 BERKS STREET, EASTON, PA 18045.

Tax Parcel No. M8NE3 37 14 0324.

THEREON BEING ERECTED a single ranch style dwelling with attached one-car garage with aluminum siding exterior and shingle roof.

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

DANIEL G. SCHMIEG, ESQUIRE

No. 14

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-1450**

ALL THAT CERTAIN lot or parcel of land, with the buildings and improvements thereon erected, situated in the Borough of Hellertown, County of Northampton, and State of Pennsylvania, being designated as Lot

#36, Block 7 as laid out on the map entitled Rentzheimer Farm Development, Section C, Mountainview, property of Bethlehem Steel Company, dated November 6, 1947, revised April 13, 1948, and filed in Map Book Volume 12, Page 9, Northampton County Records, being designated as 314 Willow Road.

Parcel Number Q7SE4A-11-3A.

BEING the same premises by Deed from Robert M. Burke dated 02/22/02 and recorded 02/22/02 in Book 2002-1 Page 49562 granted and conveyed unto Robert M. Burke and Tammy F. Burke, husband and wife.

Tax Parcel No: Q7SE4A113A.

BEING KNOWN AS 314 Willow Road, Hellertown, PA 18055.

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

SEIZED AND TAKEN into execution of the writ as the property of Tammy F. Burke and Robert M. Burke.

MICHAEL T. MCKEEVER, ESQUIRE

No. 15

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-12304**

ALL THAT CERTAIN lot or piece of ground with the improvements, thereon erected and situate on the southerly side of Old Grade Road (T 627), in the Township of Bushkill, County of Northampton, Commonwealth of Pennsylvania, being all of the land previously owned by Erma B. Hess, pursuant to Deed Book 536, Page 484 and being all of Lot No. 2 and now or formerly Erma Hess on a Subdivision Plan titled Lot Line Adjustment for Erma Hess, as prepared by Kenneth R. Hahn, P.L.S. on Drawing No. 98-68 dated and last revised March 29, 1999 bounded and described as follows:

BEGINNING at an iron pin in the center of Old Grade Road (T 627) as recited in Deed Book Volume 536, Page 484;

THENCE extending along said road, North 05 degrees 44 minutes 26 seconds East, 67.83 feet to an iron pin on the south side of the former 66 foot wide Lehigh and New England Railroad right-of-way;

Parcel# F6-6-1.

Property address: 429 Old Grade Road, Wind Gap, PA 18091.

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

SEIZED AND TAKEN into execution of the writ as the property of Mark A. Hess.

MICHAEL T. MCKEEVER, ESQUIRE

No. 16

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-7394**

ALL THAT CERTAIN messuage or tenement and lot or parcel of land situate along the westerly side of the private road leading northwardly from the Saucon Valley Road near Bingen, in the Township of Lower Saucon, County of Northampton and Commonwealth of Pennsylvania, bounded and described according to a survey thereof made the first day of September 1950 by Leonard M. Fraivillig Company Engineers, Bethlehem, Pennsylvania, as follows, to wit:

BEGINNING at an iron pipe on the westerly side of the private road leading northwardly from the Saucon Valley Road, said iron pipe being distant 343 feet, more or less northwardly along the westerly side of the said private road from its intersection with the middle of the said Saucon Valley Road; thence extending North 05 degrees 14 minutes West along

the westerly side of said Private road, a distance of 26.04 feet to an iron pipe in line with the middle of the partition or party wall between the dwelling on the herein conveyed premises and the dwelling on the premises adjoining on the north; Thence extending South 79 degrees 04 minutes West and passing through the middle of the aforementioned party wall, a distance of 68.52 feet to point on the westerly side or face of a stone wall marking the easterly line of the Saucon Creek; thence extending South 11 degrees 54 minutes West along the westerly side or face of the stone wall marking the easterly line of the Saucon Creek, a distance of 15.25 feet to a point; thence extending North 88 degrees 25 minutes East along a line 1.22 feet away from and parallel with the Leroy A. Hafler residence, a distance of 72.83 feet to the iron pipe on the westerly side of the aforementioned private road, the point the place of BEGINNING.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER:

Map R7 Block: 7 Lot: 8B.

UNDER AND SUBJECT to an Agreement or the care and maintenance of a private road at Coal Yard Road, Lower Saucon Township, Northampton County; Pennsylvania; recorded on February 28, 1990 in Misc. Book Volume 368, page 332, Northampton County Records.

Tax Parcel #: R7-7-8B.

BEING KNOWN AS: 1712 Coal Yard Road, Bethlehem, PA 18015.

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

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

Valerie A. Gebhard and Joshua M. Gebhard.

MICHAEL T. MCKEEVER, ESQUIRE

No. 17

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-13745**

ALL THAT CERTAIN message and tenement and parcel of land situate in the Borough of Wind Gap, County of Northampton and State of Pennsylvania, marked and designated on a certain plan of lots of Fitzgerald-Speer Company, said plan of lots filed in the Office of the Recorder of Deeds at Easton, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a corner on the North side of Avenue 'A' thence in an Easterly direction along said Avenue 'A', 50 feet in line of Lot No. 31 on said plan of lots, aforesaid, thence along said Lot No. 31, 100 feet to a 12 feet wide alley; thence along said alley in a Westerly direction 50 feet to a corner on line of land with Lot No. 21 on said plan of lots, aforesaid, thence along said Lot No. 21 in an Easterly direction 100 feet to the place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Renee A. Yanko, by Deed from Tedora M. Zucal, dated 06/08/2007, recorded 06/22/2007 in Book 2007-1, Page 232068.

Premises being: 108 A STREET, WIND GAP, PA 18091-1621.

Tax Parcel No. F8NW4A 5 4 0638.

THEREON BEING ERECTED a two-story apartment building with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Renee A. Yanko.

DANIEL G. SCHMIEG, ESQUIRE

No. 18
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-942

ALL THAT CERTAIN PIECE, parcel or tract of land situate in the Township of Palmer, County of Northampton, and Commonwealth of Pennsylvania known as Lot 112 of Wolf's Run: Phase VI-A as recorded in Plan Book 92, Page 189, 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 easterly right-of-way line of Howard Lane (50 feet wide); said point being on a corner of Lot 113 of Wolf's Run Phase VI-A; thence along said easterly right-of-way line of Howard Lane (50 feet wide) North 02 degrees-22 minutes-47 seconds East 70.80 feet to a point on a corner of Lot 111 of Wolf's Run Phase VI-A; thence along said lands of Lot 111 of Wolf's Run Phase VI-A South 07 degrees-37 minutes-13 seconds East 184.16 feet to a point on line of lands now or formerly of Brown & Lynch American Legion; thence along said lands now or formerly of Brown & Lynch American Legion South 04 degrees-53 minutes-49 seconds West 70.87 feet to a point on a corner of Lot 113 of Wolf's Run Phase VI-A; thence along said lands of Lot 113 of Wolf's Run Phase VI-A North 87 degrees-37 minutes-13 seconds West 181.03 feet to a point, the place of the Beginning.

Containing 11,511.34 square feet or 0.26 acre.

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

Said lot also being subject to a 5-foot wide pedestrian easement for adjoining attached unit.

Under and subject to Deed Restrictions attached hereto and made part hereof.

TITLE TO SAID PREMISES IS VESTED IN Tonya S. Williams, by Deed from Julie A. Germanetti, dated 09/30/2009, recorded 10/08/2009 in Book 2009-1, Page 259588.

Premises being: 1430 HOWARD LANE, EASTON, PA 18045-7907.

Tax Parcel No. K8SE2-14-4.

THEREON BEING ERECTED a two-story row home style dwelling with attached one-car garage with vinyl siding and brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Tonya S. Williams.

DANIEL G. SCHMIEG, ESQUIRE

No. 19
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-13300

ALL THAT CERTAIN messuage, parcel, tract, or lot of land situate in the Borough of Bangor, County of Northampton, and Commonwealth of Pennsylvania know as 713 Market Street, in said Borough, more particularly bounded and described as follows, to wit:

BEGINNING at a point, said point being on a course South 78 1/2 degrees East 18.5 feet from the corner of land formerly of Elmer Marsh; thence along and through the center of the partition wall to the within described premises separating the dwelling known as No. 713 Market Street, Bangor, herein conveyed from No. 711 Market Street, Bangor, previously conveyed by the Grantors to Ronald A. Strouse and Betty Jane Bickert, and along and through the exact middle of said partition wall on the approximate course North 10 1/2 degrees East 124 feet to a point in the

South side alley; thence from said point and along the South side of said alley North 78 1/4 degrees West 18.5 feet to a point; thence from said point and along land formerly of Elmer Marsh South 10 1/2 degrees West 124 feet to a point on the north side of Market Street North 78 1/4 degrees East 18/5 feet to the place of BEGINNING.

CONTAINING the above-described premises being the West side of a double dwelling more particularly known as 713 Market Street, in the Borough of Bangor, County of Northampton and Commonwealth of Pennsylvania.

TAX PARCEL NUMBER: E9NE1B-11-7.

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

SEIZED AND TAKEN into execution of the writ as the property of Michael J. Salese.

REBECCA J. PRICE, ESQUIRE

No. 20
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-8718

All that certain messuage, tenement and lot or piece of ground situate in the City of Bethlehem, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

Beginning at a point in the Northwestern line of Cherokee Street, at a distance of three hundred seventy-eight feet four and one-half inches (378' 4-1/2") Southwest from Fraytag Street; thence extending Southwest along said Cherokee Street twenty-five feet seven and one-half inches (25' 7-1/2") to a point; thence extending Northwest at right angles to Cherokee Street a distance of one hundred feet (100') to a point in the Southeastern

line of a twenty foot (20') wide alley; thence extending Northeast along said alley a distance of twenty-five feet seven and one-half inches (25' 7-1/2") to a point; thence extending Southeast, and through the middle of the partition wall of a double brick dwelling, known as numbers 734 and 736 Cherokee Street, a distance of one hundred feet (100') to the place of beginning.

BOUNDED on the North by a twenty (20) foot alley; and on the East b lands of W.J. Lahodney; on the South by Cherokee Street; and on the West by lands of

TAX PARCEL #P6SW2D-2-13-0204.

BEING KNOWN AS: 736 Cherokee Street, Bethlehem, PA 18015.

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

SEIZED AND TAKEN into execution of the writ as the property of Taneah M. Hampton.

MICHAEL T. McKEEVER, ESQUIRE

No. 21
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-13234

ALL THAT CERTAIN lot, parcel or piece of land, Hereditaments and Appurtenances, Situate in the 1st Ward on the South side of Pennsylvania Avenue, in the Borough of Bangor, in the County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

THE Eastern 1/2 of a building lot located in the Borough of Bangor, aforesaid, the entire lot being designated as Lot No. 2 on the Plot of Straub and Scholl, BEGINNING at a corner on the Southern side of Penn-

sylvania Avenue; thence Westwardly along Pennsylvania Avenue, 16 1/2 feet, more or less, to a point, where the center line of the house extended meets Pennsylvania Avenue; thence South through the center of the partition running through the double frame dwelling house 140 feet to West Alley; thence Eastwardly along the said alley 16 1/2 feet, more or less, to the Western boundary line of Lot No. 3; thence North along the Western boundary line of Lot No. 3, 140 feet to a point on the South side of Pennsylvania Avenue, the place of Beginning. It being designated as No. 140 Pennsylvania Avenue, Bangor, Pennsylvania.

BEING the same premises which Todd A. Stauffer and Carriann Stauffer, husband and wife, by Indenture dated June 2, 2000 and recorded in the Recorder of Deeds, in and for the County of Northampton, aforesaid, in Deed Book Volume 2000-1 page 69337 &c., granted and conveyed unto Ricky D. Caiazzo and Bonny L. Caiazzo, husband and wife, in fee.

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

BEING Parcel No. E9NE2A-3-3.

EXCEPTING thereout and therefrom (if any) the premises as more fully described in the following deed: NONE.

TITLE TO SAID PREMISES IS VESTED IN ELAINE A. DeMARCO BY DEED FROM RICKY D. CAIAZZO AND BONNY L. CAIAZZO DATED 07/07/06 RECORDED 07/27/06 IN DEED BOOK 2006-1 PAGE 304649.

BEING KNOWN AS 140 Pennsylvania Avenue, Bangor, PA 18013.

THEREON BEING ERECTED a two-story half-of-double style dwelling

with aluminum siding exterior and shingle roof; detached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Elaine A. DeMarco.

SHERRI J. BRAUNSTEIN,
ESQUIRE

No. 22
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-6540

ALL THAT CERTAIN lot or parcel of land shown as Lot No. 3 on a Subdivision Plan for Glenwood Dewalt & Carol Dewalt, being recorded in Plan Book 2002-5, page 35, bounded and described as follows:-

BEGINNING at a point on the Southerly property line of Greenleaf Street, a corner also in Lot No. 2 of the above-mentioned Dewalt Subdivision; thence along said Greenleaf Street North 86 degrees 15 minutes 12 seconds East 95.00 feet to a corner in Lot No. 6; thence along said Lot No. 6 South 3 degrees 44 minutes 48 seconds East 190.00 feet to a corner in said Lot No. 6; thence continuing along said Lot No. 6 South 86 degrees 15 minutes 12 seconds West 95.00 feet to a point, a corner also in Lot No. 2; thence along said Lot No. 2 North 3 degrees 44 minutes 48 seconds West 190.00 feet to the place of beginning.

CONTAINING 18,050 square feet or 0.414 acre.

TITLE TO SAID PREMISES IS VESTED IN Stacy Kenney, by Deed from Edward J. Harrington and Mary K. Harrington, h/w, dated 07/26/2006, recorded 08/08/2006 in Book 2006-1, Page 321968.

Premises being: 1024 GREENLEAF STREET, EASTON, PA 18040-8205.

Tax Parcel No. K9SW2-10-3C-0311.

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

SEIZED AND TAKEN into execution of the writ as the property of Stacy Kenney.

DANIEL G. SCHMIEG, ESQUIRE

No. 23

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-2306**

ALL THAT CERTAIN piece or tract of land situate in the Township of Bushkill, County of Northampton, Commonwealth of Pennsylvania, known as Lot No. 32 on Clearfield Manor Estates, which Plan is recorded in Plan Book 44, Page 10, being more particularly bounded and described as follows, to wit:

BEGINNING at an iron pin along the easterly right-of-way line of Saddle Drive, a 50 foot wide street, and being the northwest corner of Lot No. 33 of Clearfield Manor Estates, henceforth to be known as the Subdivision, thence along the easterly right-of-way line of Saddle Drive, North 03 degrees, 00 minutes, 00 seconds East, 150.71 feet to a concrete monument, the southwest corner of Lot No. 31 of the Subdivision; thence along the lands of Lot No. 31, North 90 degrees, 00 minutes, 00 seconds East, 290.13 feet to an iron pin along the lands of Herman Peterson; thence along the lands of Herman Peterson and others, South 00 degrees, 00 minutes, 00 seconds East, 150.50 feet to an iron pin, the northeast corner of Lot No. 33 of the Subdivision; thence along the lands of Lot No. 33, South 90 degrees, 00 minutes, 00 seconds West, 298.10 feet to an iron pin set, the place of beginning.

Containing 44,295.190 square feet or 1.0160 acres.

TITLE TO SAID PREMISES IS VESTED IN Gail A. Schellhammer deed by Edward J. Schellhammer and Gail A. Schellhammer, Formerly Husband and Wife, dated 4/14/98, Volume: 1998-1, Page: 44940.

Premises being: 1212 SADDLE DRIVE, NAZARETH, PA 18064-9413.

Tax Parcel No. G7-6-2D-0406.

THEREON BEING ERECTED a single ranch style dwelling with attached two-car garage with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Gail A. Schellhammer.

DANIEL G. SCHMIEG, ESQUIRE

No. 24

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-11819**

ALL THAT CERTAIN message, tenement and lot or piece of ground situate on the northwesterly side of Moorestown Road, Pennsylvania Route 512, in the Township of Bushkill, County of Northampton, Commonwealth of Pennsylvania, and being Lot No. 1 as shown on a Subdivision Plan titled 'Final Minor Subdivision Plan Prepared for Dwight O. Kamback', as prepared by Kenneth R. Hahn, Drawing No. 85-206, last revised November 11, 1985, bounded and described as follows:

BEGINNING at a point in the centerline of Pennsylvania Route 512, Moorestown Road; thence extending in and along the centerline of said road, South 48 degrees 41 minutes 15 seconds West, 271.85 feet to a point; thence extending along the northerly property line of Lot No. 2 of aforesaid subdivision plan, North 55 degrees 37 minutes 59 seconds West, 238.30 feet to an iron pin; thence extending along the southeasterly property line of aforesaid Lot No. 2,

North 32 degrees 00 minutes 00 seconds East, 250.56 feet to an iron pin set on the southerly side of a private road; thence extending along the southerly side of said private road or drive, South 58 degrees 00 minutes 00 seconds East, 316.16 feet to the place of beginning.

CONTAINING 70,993.17 square feet or 1.63 acres.

SUBJECT to restrictions, easements, covenants, rights-of-way and agreements as shown on this subdivision plan and all previous documents, deeds and plans.

TITLE TO SAID PREMISES IS VESTED IN Linda M. Stevens, by Deed from Andrew R. Hartzell and Tanya J. Hartzell, h/w, dated 03/29/2006, recorded 03/31/2006 in Book 2006-1, Page 128361.

Premises being: 124 WEST MOORESTOWN ROAD a/k/a 124 MOORESTOWN ROAD, WIND GAP, PA 18091-9764.

Tax Parcel No. G7 2 17 0406.

THEREON BEING ERECTED a two-story single cape cod style dwelling with aluminum siding exterior and shingle roof; barn.

SEIZED AND TAKEN into execution of the writ as the property of Linda M. Stevens.

DANIEL G. SCHMIEG, ESQUIRE

No. 25
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-13057

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: M9NE1A-6-1 for purposes of compliance with Northampton County Ordinance No. 159-L989.

ALL THAT CERTAIN lot or piece ground situated on the southeast corner of Berwick and McKeon Streets in the City of Easton, Northampton County, Pennsylvania,

being the west one-half of Lot No. 35 on the plan or plot of James McKeon, and bounded on the east one-half of said lot which is the property of Domenico Cutrona, on the south by a twenty-feet (20') wide alley, and on the west by McKeon Street aforesaid, and on the north by Berwick Street aforesaid.

Containing in front or breadth on said Berwick Street twenty (20') feet and extending in length or depth of the same width one hundred forty (140') feet from Berwick Street to said twenty-feet (20') wide alley. This property contains a frame dwelling house thereon erected and is known as No. 946 Berwick Street.

Also being known as 946 West Berwick Street, Easton, PA 18042.

BEING the same premises which Elizabeth Alejandro, by deed dated October 12, 2006 and recorded October 13, 2006 in and for Northampton County, Pennsylvania, in Deed Book Volume 2006-1, Page 427329, granted and conveyed unto Cesar Julio Taveras.

TAX PARCEL NUMBER: M9NE1A-6-1.

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

SEIZED AND TAKEN into execution of the writ as the property of Cesar Julio Taveras.

SCOTT A. DIETTERICK, ESQUIRE

No. 26
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-7365

ALL THAT CERTAIN message or tenement and lot or piece of land situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, known as 435 Pawnee Street according to

present City numbering, bounded and described as follows:

BEGINNING at a point on the east side of Pawnee Street at a distance of one hundred twenty feet northwardly from the corner of Pawnee and Dakotah Streets; thence extending northwardly along Pawnee Street a distance of twenty (20) feet; thence running back of that the same width between lines parallel with Dakotah Street to a division line laid out half-way between Pawnee Street and the Philadelphia Road.

TOGETHER WITH the right to construct and maintain a sewer connection from the herein described property at 435 Pawnee Street through the property now or late of Joseph Pircher at 508 Dakotah Street, Bethlehem, Pennsylvania, to connect with a sewer line thereon with a right of ingress and egress to repair and maintain the said sewer line in good working condition, said grant and right-of-way obtained by agreement between Rudolf Heske and wife, and Joseph Pircher and Elizabeth Pircher, his wife, dated April 29, 1926, and recorded in the Office for the Recording of Deeds in and for Northampton County in Miscellaneous Book 75, page 299.

TITLE TO SAID PREMISES IS VESTED IN Pedro M. Huertas, by Deed from Marie Lisby, dated 06/11/2007, recorded 06/11/2007 in Book 2007-1, Page 241905.

Premises being: 435 PAWNEE STREET, BETHLEHEM, PA 18015-1425.

Tax Parcel No. P6SW2B 11 16 0204.

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

SEIZED AND TAKEN into execution of the writ as the property of Pedro M. Huertas.

DANIEL G. SCHMIEG, ESQUIRE

No. 27

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2010-14266

ALL THAT CERTAIN UNIT, designated as 11 West 2nd Street Unit No. 102 in the Lehigh Riverport Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Lehigh Riverport Condominium, dated August 26, 2004, and recorded on August 26, 2004, in the Office of the Recorder of Deeds in and for Northampton County in Book Volume 2004-1, Page 336478, as amended from time to time and as identified on the Lehigh Riverport Condominium Plat recorded in the Office of the Recorder of Deeds in and for Northampton County in Plan Book Volume 2004-5, Page 531, as amended from time to time.

TOGETHER with an undivided interest of, in and to the common elements as set forth in the aforesaid Declaration of Condominium, Condominium Plat and Amendments, and as may be further amended from time to time.

BEING Parcel No. P6-2-102.

ALL THAT CERTAIN UNIT, designated as 11 West 2nd Street Unit No. 107 in the Lehigh Riverport Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Lehigh Riverport Condominium, dated August 26, 2004, and recorded on August 26, 2004, in the Office of the Recorder of Deeds in and for Northampton County in Book Volume 2004-1, Page 336478, as amended from time to time and as identified on the Lehigh Riverport Condominium Plat recorded in the

Office of the Recorder of Deeds in and for Northampton County in Plan Book Volume 2004-5, Page 531, as amended from time to time.

TOGETHER with an undivided interest of, in and to the common elements as set forth in the aforesaid Declaration of Condominium, Condominium Plat and Amendments, and as may be further amended from time to time.

BEING Parcel No. P6-2-107.

ALL THAT CERTAIN UNIT, designated as 11 West 2nd Street Unit No. 118 in the Lehigh Riverport Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Lehigh Riverport Condominium, dated August 26, 2004, and recorded on August 26, 2004, in the Office of the Recorder of Deeds in and for Northampton County in Book Volume 2004-1, Page 336478, as amended from time to time and as identified on the Lehigh Riverport Condominium Plat recorded in the Office of the Recorder of Deeds in and for Northampton County in Plan Book Volume 2004-5, Page 531, as amended from time to time.

TOGETHER with an undivided interest of, in and to the common elements as set forth in the aforesaid Declaration of Condominium, Condominium Plat and Amendments, and as may be further amended from time to time.

BEING Parcel No. P6-2-118.

ALL THAT CERTAIN UNIT, designated as 11 West 2nd Street Unit No. 138 in the Lehigh Riverport Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Lehigh Riverport Condominium, dated Au-

gust 26, 2004, and recorded on August 26, 2004, in the Office of the Recorder of Deeds in and for Northampton County in Book Volume 2004-1, Page 336478, as amended from time to time and as identified on the Lehigh Riverport Condominium Plat recorded in the Office of the Recorder of Deeds in and for Northampton County in Plan Book Volume 2004-5, Page 531, as amended from time to time.

TOGETHER with an undivided interest of, in and to the common elements as set forth in the aforesaid Declaration of Condominium, Condominium Plat and Amendments, and as may be further amended from time to time.

BEING Parcel No. P6-2-138.

ALL THAT CERTAIN UNIT, designated as 11 West 2nd Street Unit No. 140 in the Lehigh Riverport Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Lehigh Riverport Condominium, dated August 26, 2004, and recorded on August 26, 2004, in the Office of the Recorder of Deeds in and for Northampton County in Book Volume 2004-1, Page 336478, as amended from time to time and as identified on the Lehigh Riverport Condominium Plat recorded in the Office of the Recorder of Deeds in and for Northampton County in Plan Book Volume 2004-5, Page 531, as amended from time to time.

TOGETHER with an undivided interest of, in and to the common elements as set forth in the aforesaid Declaration of Condominium, Condominium Plat and Amendments, and as may be further amended from time to time.

BEING Parcel No. P6-2-140.

ALL THAT CERTAIN UNIT, designated as 11 West 2nd Street Unit No. 351 in the Lehigh Riverport Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Lehigh Riverport Condominium, dated August 26, 2004, and recorded on August 26, 2004, in the Office of the Recorder of Deeds in and for Northampton County in Book Volume 2004-1, Page 336478, as amended from time to time and as identified on the Lehigh Riverport Condominium Plat recorded in the Office of the Recorder of Deeds in and for Northampton County in Plan Book Volume 2004-5, Page 531, as amended from time to time.

TOGETHER with an undivided interest of, in and to the common elements as set forth in the aforesaid Declaration of Condominium, Condominium Plat and Amendments, and as maybe further amended from time to time.

BEING Parcel No. P6-2-351.

ALL THAT CERTAIN UNIT, designated as 11 West 2nd Street Unit No. 354 in the Lehigh Riverport Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Lehigh Riverport Condominium, dated August 26, 2004, and recorded on August 26, 2004, in the Office of the Recorder of Deeds in and for Northampton County in Book Volume 2004-1, Page 336478, as amended from time to time and as identified on the Lehigh Riverport Condominium Plat recorded in the Office of the Recorder of Deeds in and for Northampton County in Plan Book Volume 2004-5, Page 531, as amended from time to time.

TOGETHER with an undivided interest of, in and to the common elements as set forth in the aforesaid Declaration of Condominium, Condominium Plat and Amendments, and as may be further amended from time to time.

BEING Parcel No. P6-2-354.

ALL THAT CERTAIN UNIT, designated as 11 West 2nd Street Unit No. 359 in the Lehigh Riverport Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Lehigh Riverport Condominium, dated August 26, 2004, and recorded on August 26, 2004, in the Office of the Recorder of Deeds in and for Northampton County in Book Volume 2004-1, Page 336478, as amended from time to time and as identified on the Lehigh Riverport Condominium Plat recorded in the Office of the Recorder of Deeds in and for Northampton County in Plan Book Volume 2004-5, Page 531, as amended from time to time.

TOGETHER with an undivided interest of, in and to the common elements as set forth in the aforesaid Declaration of Condominium, Condominium Plat and Amendments, and as may be further amended from time to time.

BEING Parcel No. P6-2-359.

ALL THAT CERTAIN UNIT, designated as 11 West 2nd Street Unit No. 383 in the Lehigh Riverport Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Lehigh Riverport Condominium, dated August 26, 2004, and recorded on August 26, 2004, in the Office of the Recorder of Deeds in and for Northampton County in Book Vol-

ume 2004-1, Page 336478, as amended from time to time and as identified on the Lehigh Riverport Condominium Plat recorded in the Office of the Recorder of Deeds in and for Northampton County in Plan Book Volume 2004-5, Page 531, as amended from time to time.

TOGETHER with an undivided interest of, in and to the common elements as set forth in the aforesaid Declaration of Condominium, Condominium Plat and Amendments, and as may be further amended from time to time.

BEING Parcel No. P6-2-383.

Being part of the same premises which South Bethlehem Enterprise Partners, LLC, a Pennsylvania limited liability company, by Deed dated May 14, 2003, and recorded May 16, 2003, in Northampton County in Book 2003-1, page 179448, conveyed unto Lehigh Riverport Development, LLC, in fee.

And the said Lehigh Riverport Development, LLC was, by virtue of Articles of Merger filed with the Commonwealth of Pennsylvania Department of State on August 2, 2004, at No. 2004073, merged into Lehigh Riverport Realty, L.P., a Pennsylvania Limited Partnership.

BEING KNOWN AS 11 West 2nd Street, Lehigh Riverport Condominium, Unit #102, 107, 118, 138, 140, 351, 354, 359, 383, Bethlehem, PA.

THEREON BEING ERECTED nine condominiums with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Lehigh Riverport Realty, LP.

JENNIFER D. GOULD, ESQUIRE

No. 28

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-8716**

ALL that certain lot, parcel or tract of land, situate and lying in the Town-

ship of Upper Nazareth, County of Northampton and State of Pennsylvania being more particularly described as follows:

NO. 1

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

BEGINNING at a stake in the southerly side of a public road leading from Bath to Nazareth, at a distance of one hundred (100 feet) feet eastwardly from the intersection of the southerly side of said road with the easterly side of the public road leading from Christian Springs to Newburg, thence along the southerly side of the aforesaid public road North seventy-one (71) degrees forty-five (45) minutes East, one hundred fifty-five and two-tenths (155.2 feet) feet to a stake, thence South thirteen (13) degrees thirty (30) minutes East one hundred (100 feet) feet to a stake, thence along lands now or late of Frances M. Daniel South seventy-one (71) degrees forty-five (45) minutes West, one hundred fifty-five and two-tenths (155.2) feet to a stake, thence along land now or late of Emma R. Shook North thirteen (13) degrees thirty (30) minutes West, one hundred (100 feet) feet to a stake, the place of beginning.

NO. 2

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

BEGINNING at a post, the intersection of the easterly side of a public road leading from Christian Springs to Newburg with the southerly side of the public road leading from Bath to

Nazareth, thence along the southerly side of said road North seventy-one (71) degrees forty-five (45) minutes East, one hundred (100 feet) feet to a stake, thence along lot now or late of David D. Kern South thirteen (13) degrees thirty (30) minutes East, one hundred (100 feet) feet to a stake, thence along the lands now or late of Emma R. Shook and Ardbll Shook, her husband, South seventy-one (71) degrees forty-five (45) minutes West one hundred (100 feet) feet to a stake in the easterly side of the afore said public road leading from Christian Springs to Newburg, thence along the lane North thirteen (13) degrees thirty (30) minutes West, one hundred (100 feet) feet to a post the place of the beginning.

TITLE TO SAID PREMISES IS VESTED IN Thomas E. Bartle and Stephanie N. Bartle, h/w, by Deed from Ralph Buss and Marietta Buss, h/w, dated 06/17/2003, recorded 06/20/2003 in Book 2003-1, Page 229700.

Premises being: 2795 GEORGETOWN ROAD, NAZARETH, PA 18064-9702.

Tax Parcel No. K7 17 1 0432.

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

SEIZED AND TAKEN into execution of the writ as the property of Stephanie Bartle aka Stephanie N. Bartle and Thomas E. Bartle.

DANIEL G. SCHMIEG, ESQUIRE

No. 29
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-10779

ALL THAT CERTAIN lot or piece of ground, with the improvements thereon executed, known and designated as 340 Lincoln Street in the City

of Easton, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows:

CONTAINING in front on the South side of said Lincoln Street 14 feet 2 inches, more or less and extending of that width in depth between parallel lines at right angles to Lincoln Street, 140 feet, more or less, to Bird Alley. Being a portion of Lot No. 16 of Block G of Lots laid out on the Ott farm by Peter Brady for Charles and Frederick Seitz, December, 1891 and recorded in the Recorder of Deeds Office for Northampton County in Map Book 1, page 24.

BOUNDED on the North by said Lincoln Street, on the East by property now or late of Lafayette Trust Company, known as 338 Lincoln Street, on the South by Bird Alley and on the West by property known as 342 Lincoln Street, property of Joseph and Rose Spidale.

TITLE TO SAID PREMISES IS VESTED IN Susan Williams, by Deed from Gary G. Rutt and Deborah A. Rutt, h/w, dated 11/20/2006, recorded 11/20/2006 in Book 2006-1, Page 477939.

Premises being: 340 WEST LINCOLN STREET, a/k/a 340 LINCOLN STREET, EASTON, PA 18042-6550.

Tax Parcel No. M9NE2A 5 12 0310.

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

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

DANIEL G. SCHMIEG, ESQUIRE

No. 30
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-11649

ALL THAT CERTAIN house and lot situated on the South side of Wash-

ington Street in the City of Easton, County of Northampton and Commonwealth of Pennsylvania, known and designated as number 1046 Washington Street, containing in front on said Washington Street, twenty-five feet and extending Southwardly of the same width in depth one hundred and twenty-one feet, more or less, to a twenty foot wide alley.

BOUNDED on the North by said Washington Street, West by property now or late of Lewis Raul, East by property now or late of John Rinek and South by said twenty-foot wide private alley.

TITLE TO SAID PREMISES IS VESTED IN Rafael D. Castillo Mercado, by Deed from Robert Aide, dated 09/18/2007, recorded 10/03/2007 in Book 2007-1, Page 363291.

Premises being: 1046 WASHINGTON STREET, EASTON, PA 18042-4171.

Tax Parcel No. L9SE1D 27 4 0310.

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

SEIZED AND TAKEN into execution of the writ as the property of Rafael D. Castillo Mercado.

DANIEL G. SCHMIEG, ESQUIRE

No. 32

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2010-10652

All that certain tract, piece or parcel of land situate in the Township of Plainfield," County of Northampton and Commonwealth of Pennsylvania, (as shown on a Land Development Plan entitled Fancy Furrow Farms, dated January 3, 2001, prepared by Lehigh Engineering Associates, Inc.),, bounded and described as follows; to wit:

Beginning at an iron pin located along the lands of now or former of Charles R. Jr. and Jane K. Jones and the lands herein described, thence;

1) N-14 degrees-40'-10"-W, 268.15' along Lot 12 to an iron pin, thence;

2) N-75 degrees-19'-50"-E, 63.86' along the ultimate roadway right-of-way line of Fawn Lane to a concrete monument, thence;

3) Along an arc curving to the right having a radius of 470.00' and a length of 126.51' (long chord N-83 degrees-02'-52"-E, 126.23') along the same ultimate right-of-way to a concrete monument, thence;

4) S-89 degrees-14'-06"-E, 56.31' along the same ultimate right-of-way line to a concrete monument, thence;

5) Along an arc curving to the right having a radius of 40.00' and a length of 62.83' (long chord S-44 degrees-16'-06"-E, 56.57') along the same ultimate roadway right-of-way to a concrete monument, thence;

6) S-00 degrees-45'-54"-W, 53.11' along the ultimate roadway right-of-way of Kesslerville Road to a concrete monument, thence;

7) Along an arc curving to the right having a radius of 11,837.66' and a length of 151.09' (long chord S-01 degree-07'-50"-W, 151.09') along the ultimate roadway right-of-way line of Kesslerville Road to a concrete monument, thence;

8) S-77 degrees-52'-00"-W, 216.08' along the lands of now or formerly of Charles R. Jr. and Jane K. Jones to the aforementioned iron pin and place of beginning.

Being known as: 990 Fawn Lane, Nazareth, Pennsylvania 18064.

Title to said premises is vested in Brian Corcoran aka Brian Thomas Corccoran and Gretchen Corcoran aka Gretechan Ann Corcoran, hus-

band and wife, by deed from REEN DEVELOPMENT COMPANY, A LIMITED LIABILITY COMPANY dated April 3, 2002 and recorded April 12, 2002 in Deed Book 2002, Page 1-95699.

TAX I.D. #: G9 11-7H.

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

SEIZED AND TAKEN into execution of the writ as the property of Brian Corcoran a/k/a Brian Thomas Corcoran and Gretchen Corcoran a/k/a Gretechan Ann Corcoran.

MARGARET GAIRO, ESQUIRE

No. 34

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2008-586**

ALL THAT CERTAIN lot or piece of land known as Lot No. 1 in the Subdivision of Lands of Margaret Ellen Buskirk as recorded in Map Book 93 Page 196 on September 27, 1993, in the Township of Plainfield, County of Northampton, and Commonwealth of Pennsylvania, more fully bounded and described as follows, to wit:

BEGINNING at an iron pin in the westerly right-of-way line of Pennsylvania Route 1016 known as Church Road, said pin being in the southerly line of land belonging to now or late of Mabel Klipple; thence along said right-of-way line, running parallel to and thirty (30.00') feet westerly of the centerline of Route 1016, along a curve to the right having a radius of six hundred seventy (670.00') feet, a length of sixty-three and one hundredth (63.01') feet and a chord bearing and distance of South ten (10) degrees eleven (11) minutes twenty (20) seconds West sixty-two and ninety-nine hundredths (62.99') feet to a point; thence along same South twelve (12) degrees fifty-two (52) min-

utes fifty-nine (59) seconds West one hundred twenty-two and thirty-four hundredths (122.34') feet to an iron pin; thence along land belonging to Margaret Ellen Buskirk, of which this tract was a part, North seventy-seven (77) degrees seven (07) minutes one (01) seconds West three hundred sixty-five and eighty-four hundredths (365.84') feet to an iron pin; thence along the same North one (1) degrees two (02) minutes fifty-four (54) seconds East two hundred eighty-eight and fifty-six one hundredths (288.56') feet to an iron pin; thence along land now or late of Howard Clewell South eighty-eight (88) degrees fifty-seven (57) minutes six (06) seconds East two hundred ninety-six and thirty hundredths (296.30') feet to an iron pin; thence along land now or late of Mabel Klipple South one (01) degree eleven (11) minutes four (04) seconds West one hundred eighty-one and sixty-six hundredths (181.66') feet to an iron pin; thence along same South eighty-eight (88) degrees fifty-seven (57) minutes six (06) seconds East ninety-seven and twenty-nine hundredths (97.29') feet to the place of beginning.

BEING KNOWN AS: 1479 Church Road, Pen Argyl, PA 18072.

PROPERTY ID NO.: F8-11-6A.

TITLE TO SAID PREMISES IS VESTED IN LEE H. BUSKIRK, JR. AND SANDRA L. BUSKIRK BY DEED FROM JEFFREY E. YOUNG AND MARY M. E. YOUNG DATED 11/28/2000 RECORDED 12/04/2000 IN DEED BOOK 2000-1 PAGE 161770.

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

SEIZED AND TAKEN into execution of the writ as the property of Lee H. Buskirk and Sandra L. Buskirk.

STUART WINNEG, ESQUIRE

No. 35
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2008-7942

ALL THAT CERTAIN lot or piece of land situate on the North side of Berwick Street, in the City of Easton, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the northerly line of Berwick Street, said point being a distance of 15 feet from the easterly line of Davis Street on a course South 85 degrees 00 minutes East; thence (1) along the northerly line of Berwick Street South 85 degrees 00 minutes East 17 feet to a point; thence (2) along lands now or formerly of Lewis & Rose Mee North 05 degrees 00 minutes East 118 feet to a point; thence (3) along the southerly line of Kleinhans Avenue North 85 degrees 00 minutes West 17 feet to a point; thence (4) South 05 degrees 00 minutes West 118 feet to a point, said line passing through the center of a double brick dwelling.

THE ABOVE REFERRED TO PREMISES ALSO BEING DESCRIBED IN the above referred to deed recorded in Deed Book Volume 119, Page 256, as follows:

BEGINNING at a point fifteen (15) feet from the building line at the intersection of Berwick and Davis Streets on the East side of Davis Street, and North side of Berwick Street; thence Northwardly on a direct line through the center of a partition wall dividing a double brick dwelling house one hundred eighteen (118) feet to Kleinhans Avenue, thence Eastwardly seventeen (17) feet more or less to land of Lewis and Rose Mee, thence Southwardly along the land of Lewis and Rose Mee, one hundred eighteen (118) feet to Berwick Street,

thence Westwardly along Berwick Street seventeen feet (17) more or less to place of Beginning.

PARCEL NO. L9SE3D 22 22 0310.

BEING THE SAME PREMISES which Michael J. Lombardo and Doris Jean Lombardo, his wife, by Indenture dated 08-29-77 and recorded 09-06-77 in the Office of the Recorder of Deeds in and for the County of Northampton in Deed Book 570 Page 923, granted and conveyed unto Floyd F. Kinney and Jean L. Kinney, his wife.

BEING KNOWN AS: 297 West Berwick Street, Easton, PA 18042.

PROPERTY ID NO.: L9SE3D-22-22.

TITLE TO SAID PREMISES IS VESTED IN TERRY KINNEY BY DEED FROM FLOYD F. KINNEY AND JEAN L. KINNEY DATED 09/19/2005 RECORDED 09/27/2005 IN DEED BOOK 2005-1 PAGE 372782.

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

SEIZED AND TAKEN into execution of the writ as the property of Terry Kinney.

STUART WINNEG, ESQUIRE

No. 36
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-4853

All that certain lot or parcel of ground situate in the Township of Bethlehem, Northampton County, Commonwealth of Pennsylvania and being designated as Lot No. 2 according to the Map or Plan entitled "Plan of Eastwood Estates" prepared by L.M. Fraivilig Co. Engineers, dated May 13, 1968, and recorded in Plan Book 24, page 27, Northampton County Records, more particularly bounded and described as follows:

Beginning at a point in the intersection of the Southerly property line of Wilson Avenue and the Easterly property line of Lindberg Road; thence along the Easterly property line of Lindberg Road on a course North 2° 30' West, a distance of 350 feet to a point, the true place of beginning; thence the 4 following courses and distances: (1) North 87° 30' East a distance of 132.5 feet to a point; (2) South 2° 30' East a distance of 80 feet to a point; (3) South 87° 30' West a distance of 132.5 feet to a point; (4) North 2° 30' West a distance of 80 feet to the point the place of beginning.

Tax ID/Parcel No. N7SW2-11-7-14.

Being the same premises which Gerald J. Ganssie by Deed dated September 23, 2000 and recorded September 27, 2000 in Northampton County in Deed Book Volume 2000-1 Page 126500 conveyed unto Jose Manuel cruz and Tina Mundy-Cruz, his wife, in fee.

Being the same premises which Jose Manuel Cruz and Tina Mundy-Cruz by Deed dated February 7, 2006 and recorded February 14, 2006 in Northampton County in Deed Book Volume 2006-1 Page 60827 conveyed unto Prosource Two, LLC, in fee.

BEING KNOWN AS: 1434 Linberg Road a/k/a 1434 Lindberg Road, Bethlehem, PA 18020.

PROPERTY ID NO.: N7SW2-11-7-14.

TITLE TO SAID PREMISES IS VESTED IN JOSE CRUZ AND TINA CRUZ BY DEED FROM PROSOURCE TWO, LLC, BY ITS PRESIDENT MARK GREENBERG DATED 04/06/2007 RECORDED 12/05/2007 IN DEED BOOK 2007-1 PAGE 435338.

THEREON BEING ERECTED a two-story single bi-level style dwelling

with attached one-car garage with aluminum siding and brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Jose Cruz aka Jose M. Cruz and Tina Cruz.

STUART WINNEG, ESQUIRE

No. 38**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION****CV-2011-684**

ALL THAT CERTAIN message and lot of land, situate on the south side of and known as No. 118 Spring Garden Street, in the City of Easton, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point, the northeast corner of land now or late of Edward H. Chidsey, on Spring Garden Street, and extending eastwardly on said street 30 feet, thence southwardly along land now or late of William Weichard 75 feet to the land now or late of Benjamin Rively; thence westwardly along said land to land now or late of Edward H. Chidsey, and thence northwardly along said land 75 feet to the place of beginning.

BEING KNOWN AS: 118 Spring Garden Street Easton, PA 18042.

PROPERTY ID NO.: L9NE3C. 6-10.

TITLE TO SAID PREMISES IS VESTED IN CHAFIQ MELHEM AND BADAWIYEH MELHEM, HIS WIFE BY DEED FROM CHAFIQ MELHEM AND BADAWIYEH, HIS WIFE DATED 03/22/1983 RECORDED 03/23/1983 IN DEED BOOK 647 PAGE 781.

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

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

STUART WINNEG, ESQUIRE

No. 39
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-1035

ALL THAT CERTAIN message or tenement and tract or lot of land situate in the Township of Upper Mount Bethel, County of Northampton and State of Pennsylvania, more fully bounded and described as follows, to wit:

BEGINNING at a concrete monument in the westerly right-of-way line of Township Road 707 known as Blue Mountain Drive, said monument marking the northeast corner of land now or late of Gordon Newcomer, et al.; thence along land now or late of Gordon Newcomer, et al., North fifty-five (55) degrees fifty-two (52) minutes ten (10) seconds West one thousand seven hundred forty-one and sixty-three one-hundredths (1,741.63) feet to a point in line of land belonging to Kirkridge, Inc.; thence along land belonging to said Kirkridge, Inc., North fifty (50) degrees eight (8) minutes twenty-eight (28) seconds East one hundred seven and thirty-seven one-hundredths (107.37) feet to a point; thence along same North fifty-three (53) degrees thirty-five (35) minutes twenty-five (25) seconds West seventy-three and forty one-hundredths (73.40) feet to metal disk 325-PA-54; thence along land belonging to the United States of America (Appalachian National Scenic Trail Corridor) North fifty-seven (57) degrees thirty-four (34) minutes twenty-two (22) seconds East three hundred sixty-three and seventy-five one-hundredths (363.75) feet to metal disk 324-PA-17; thence along same North sixty-two (62) degrees forty-eight (48) minutes thirty-five (35) seconds East four hundred forty and twenty-seven one-hundredths (440.27) feet to a point; thence along

Lot no. 2A of the Subdivision of Land Belonging to Joseph Comunale, et al., South forty-eight (48) degrees thirty-six (36) minutes forty-nine (49) seconds East one thousand three hundred ninety and thirty-four one-hundredths (1,390.34) feet to an iron pin in the westerly right-of-way line of the aforementioned Township Road 707; thence along the westerly right-of-way line of said Township Road 707, running parallel to and thirty (30) feet west of the centerline thereof, on a curve to the left having a radius of seven hundred (700) feet, a central angle of seven (7) degrees fifteen (15) minutes twenty-one (21) seconds, a length of eighty-eight and sixty-five one-hundredths (88.65) feet and a chord bearing and distance of South thirty-seven (37) degrees forty-five (45) minutes thirty (30) seconds West eighty-eight and fifty-nine one-hundredths (88.59) feet to a concrete monument; thence along same South thirty-four (34) degrees seven (7) minutes fifty (50) seconds West five hundred thirty-one and ninety one-hundredths (531.90) feet to the place of beginning.

CONTAINING twenty-six and three thousand one hundred thirty-six ten-thousandths (26.3136) acres.

UNDER AND SUBJECT, nevertheless, to easement and restrictions of record and such state of facts as an accurate survey may disclose.

LESS AND EXCEPTING THEREFROM AND THEREOUT, ALL THOSE CERTAIN two (2) lots or pieces of land situate in the Township of Upper Mount Bethel, County of Northampton and State of Pennsylvania, being more fully bounded and described as follows, to wit:

TRACT NO. 1

BEGINNING at an iron pin in the westerly right-of-way line of Township

Road 707, known as Blue Mountain Drive, said pin marking the southernmost corner of land now or late of Maxine and Robert Kennedy; thence along the westerly right-of-way line of Township Road 707, running parallel to and thirty (30) feet west of the centerline thereof, on a curve to the left, having a radius of seven hundred (700) feet, a central angle of seven (7) degrees fifteen (15) minutes twenty-one (21) seconds, a length of eighty-eight and sixty-five one-hundredths (88.65) feet, and a chord bearing and distance of South thirty-seven (37) degrees forty-five (45) minutes thirty (30) seconds West eighty-eight and fifty-nine one-hundredths (88.59) feet to a point; thence along same South thirty-four (34) degrees seven (7) minutes fifty (50) seconds West fifty-six and twenty-nine one-hundredths (56.29) feet to a point; thence along Lot No. 2D of the Subdivision of Land Belonging to Richard McShane North fifty-five (55) degrees fifty-two (52) minutes ten (10) seconds West forty-five and fifty-four one-hundredths (45.54) feet to a point; thence along same North forty-eight (48) degrees thirty-six (36) minutes forty-nine (49) seconds West three hundred sixty-four and fifty-four one-hundredths feet to a point in line of Lot 2B; thence along said Lot No. 2B North forty-one (41) degrees twenty-three (23) minutes eleven (11) seconds East one hundred fifty (150) feet to a point in line of land now or late of the aforementioned Maxine and Robert Kennedy; thence along land now or late of the said Maxine and Robert Kennedy South forty-eight (48) degrees thirty-six (36) minutes forty-nine (49) seconds East three hundred ninety-seven (397) feet to the place of beginning.

CONTAINING one and three thousand eight hundred twelve ten-thousandths (1.3812) acres.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: MAP: B10, BLOCK: 2, LOT: 19E.

TRACT NO. 2

BEGINNING at a point in the westerly right-of-way line of Township Road 70 known as Blue Mountain Drive, said pin marking the southernmost corner of Lot No. 2C of the Subdivision of Lands Belonging to Richard McShane; thence along the westerly right-of-way line of said Township Road 707, running parallel to and thirty (30) feet west of the centerline thereof South thirty-four (34) degrees seven (7) minutes fifty (50) seconds West one hundred fifty (150) feet to a point; thence along Lot No. 2B North fifty-five (55) degrees fifty-two (52) minutes ten (10) seconds West fifty-five and five one-hundredths (55.05) feet to a point; thence along same North forty-eight (48) degrees thirty-six (36) minutes forty-nine (49) seconds West three hundred seventy-four and five one-hundredths (374.05) feet to a point; thence along same North forty-one (41) degrees twenty-three (23) minutes eleven (11) seconds East one hundred fifty (150) feet to a point; thence along the aforementioned Lot No. 2C South forty-eight (48) degrees thirty-six (36) minutes forty-nine (49) seconds East three hundred sixty-four and fifty-four one-hundredths (364.54) feet to a point; thence along same South fifty-five (55) degrees fifty-two (52) minutes ten (10) seconds East forty-five and fifty-four one-hundredths (45.54) feet to the place of beginning.

CONTAINING one and four thousand four hundred four-nine ten-thousandths (1.4449) acres.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: MAP: B10, BLOCK: 2, LOT: 19F.

IT BEING THE SAME PREMISES which Richard H. McShane, M.D., by his Indenture bearing date the third day of April, A.D. 2007, for the consideration therein mentioned, granted and conveyed unto the said Monroe & Jefferson Holdings, LLC, party hereto, and to their successors and assigns, forever; as in and by the said in part recited Indenture recorded in the Office of the Recorder of Deeds in and for Northampton County, at Easton, Pennsylvania, in Record Book volume 2007-1, Page 151153, etc., relation being thereunto had, more fully and at large appears.

IT BEING A PART OF THE PREMISES which Richard H. McShane, M.D., by his Indenture bearing date the twenty-fifth day of September, A.D. 2008, for the consideration therein mentioned, granted and conveyed unto the said Richard H. McShane and Walter D. Levine, Trustees, The Richard H. Meshane Family Trust, u/t/a dated September 25, 2008, parties hereto, and to their successors and assigns, forever; as in and by the said in part recited Indenture recorded in the Office of the Recorder of Deeds in and for Northampton County, at Easton, Pennsylvania, in Record Book Volume 2009-1, Page 1109, etc., relation being thereunto had, more fully and at large appears.

Being known as 1272 Blue Mountain Drive, Mt. Bethel, Pennsylvania, 18343, and having Northampton County Uniform Parcel Identifier: B10-2-19.

THEREON BEING ERECTED a two-story single dwelling with attached three-car garage with stucco exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Richard H. McShane, Richard H. McShane & Walter D. Levine, Trustees of the Richard H. McShane Family Trust UTA dated 09.25.08.

ALFRED S. PIERCE, ESQUIRE

No. 40
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-11711

All that certain lot or tract of land situated in the Township of Upper Nazareth, County of Northampton and Commonwealth of Pennsylvania, being Lot 47 as shown on the subdivision plan of Hillside Farms, said plan being recorded in the Northampton County Recorder of Deeds office in Map Book 1999-5, Pages 225-227, bounded and described as follows, to wit:

Beginning at a point in the Southerly edge of the cul-de-sac of Deerfield Drive, said point also being the Northwest corner of Lot Number 48 of Hillside Farms, Phase II; thence along said Lot Number 48, South 15 degrees 37 minutes 42 seconds East 141.90 feet to a point; thence along the stormwater detention basin easement of Lot Number 72, North 86 degrees 39 minutes 30 seconds West 141.95 feet to a point; thence along Lot Number 46 North 03 degrees 20 minutes 30 seconds East 165.94 feet to a point in the Southerly right-of-way line of Deerfield Drive; thence along said Southerly right-of-way line of Deerfield Drive, South 86 degrees 39 minutes 30 seconds East 5.07 feet to a point of curve; thence along same on a curve to the right, having a radius of 30.00 feet, a length of 27.40 feet to a point of reverse curve; thence along the Southerly edge of the cul-de-sac of Deerfield Drive, on a curve to the left, having a radius of 60.00

feet, a length of 74.67 feet to the point of beginning.

TITLE TO SAID PREMISES IS VESTED IN Ottmar Paez and Margoth Paez, h/w, by Deed from Gerald R. Smith and Rebecca A. Smith, h/w, dated 11/23/2007, recorded 12/03/2007 in Book 2007-1, Page 431016.

Premises being: 564 DEERFIELD DRIVE, NAZARETH, PA 18064-1232.

Tax Parcel No. J8 3 4E-47-0432.

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

SEIZED AND TAKEN into execution of the writ as the property of Ottmar Paez and Margoth Paez.

DANIEL G. SCHMIEG, ESQUIRE

No. 41

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-7926**

ALL THAT CERTAIN tract of land located in the Borough of Freemansburg, County of Northampton, Commonwealth of Pennsylvania, known as Lot. 81, as shown on the 'Development Plan Final' of Eastgate Townhomes, Sheet 1 of 8, Project No. 460-01 dated August 30, 1988, last revised March 13, 1989, prepare by F & M Associates, Inc., as recorded in the office of the Recorder of Deeds in the Northampton County Courthouse, Map Book Volume 89, page 86, on June 9, 1989, being more particularly described as follows, to wit:

BEGINNING at an iron pin found at the southwestern corner of Lot 75 of said Eastgate Townhomes, also being the common corner of lands N/F of Bethlehem Development Corporation;

THENCE along the eastern property line of lands N/F of Bethlehem Development Corporation N 02 degrees 19 minutes 07 seconds W a distance of 188.66 feet to an iron pin to be set, the true point of beginning;

THENCE continuing along the eastern property line of lands N/F of Bethlehem Development Corporation N 02 degrees 19 minutes 07 seconds W a distance of 50.00 feet to a point;

THENCE along the southern property line of Lot 82 N 87 degrees 40 minutes 53 seconds E a distance of 199.99 feet to an iron pin to be set;

THENCE along the western right-of-way line of Abbe Court (50 feet wide) S 02 degrees 19 minutes 07 seconds E a distance of 50.00 feet to an iron pin to be set;

THENCE along the northern property line of Lot 80 S 87 degrees 40 minutes 53 seconds W a distance of 199.99 feet to an iron pin to be set, being the true point of BEGINNING.

SUBJECT TO a 15 feet wide drainage & utility easement along the eastern and southern boundary lines and a PP&L distribution easement and Lehigh Navigation Electric Co. right-of-way across the rear of the lot as shown on the said 'Development Plan Final' of Eastgate Townhomes.

CONTAINING 0.23 acres or 9,999.5 square feet.

Under and subject, however, to the following:

1. Declaration of Covenants and Restrictions dated March 21, 2001 and recorded in the Office as aforesaid in Record Book 2001-1, Page 048067.

2. 'Drainage Covenants Agreement' and any and all additional covenants, restrictions, set-back lines, drainage easements, and utility easements as set forth on subdivision plan of Eastgate Townhomes recorded in Northampton County

Recorder of Deeds Office in Plan Book 89, Page 206.

TITLE TO SAID PREMISES IS VESTED IN Bryan P. Spratt, by Deed from Ramblewood Partners of Bethlehem, L.P., dated 12/13/2002, recorded 12/19/2002 in Book 2002-1, Page 360004.

Premises being: 610 ABBE COURT, FREEMANSBURG, PA 18017-6304.

Tax Parcel No. N7 2 66 0212.

THEREON BEING ERECTED a two-story townhouse style dwelling with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Bryan P. Spratt a/k/a Bryan Patrick Spratt.

DANIEL G. SCHMIEG, ESQUIRE

No. 42
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-5782

ALL THAT CERTAIN message, tenement and lot or piece of land situate on the West side of Elm Street in Bethlehem City, County of Northampton, Commonwealth of Pennsylvania, known as 1031 Elm Street, being the Northern half of the brick double dwelling house and lot comprising Lot No. 181 and ten (10) feet of Lot No. 182, according to the Plan of Lots Fairview Land and Improvement Company, filed in the Office for the Recording of Deeds in and for the County of Northampton at Easton, PA, in Map Book No. 4, page 28 and is bounded and described as follows, to wit:

BEGINNING at the Southeastern corner of Lot 180, a point sixty (60) feet south from the Southwestern corner of Laurel and Elm Streets in the City of Bethlehem aforesaid; thence extending Southwardly along

the West side of said Elm Street a distance of twenty (20) feet to a point in the partition wall in the said double brick dwelling house; thence extending through the middle of said partition wall a distance of one hundred (100) feet to the first unnamed twenty foot wide alley West of Elm Street; thence extending Northwardly along the East side of said unnamed twenty foot wide alley a distance of twenty (20) feet to Lot No. 180; thence extending Eastwardly along the South side of Lot No. 180 a distance of one hundred (100) feet to Elm Street, the place of BEGINNING.

BOUNDED on the North by said Lot No. 180, in the East said Elm Street, on the South by the remaining portion of Lots Nos. 181 and 182, and on the West by said unnamed twenty foot alley.

TITLE TO SAID PREMISES IS VESTED IN Rose Ann Santana, by Deed from Lawrence Berkman and Jill Berkman, h/w, dated 07/19/2007, recorded 08/13/2007 in Book 2007-1, Page 295882.

Premises being: 1031 ELM STREET, BETHLEHEM, PA 18018-2933.

Tax Parcel No. N6SE3D 13 2 0204.

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

SEIZED AND TAKEN into execution of the writ as the property of Rose Ann Smisko a/k/a Rose Ann Santana.

DANIEL G. SCHMIEG, ESQUIRE

No. 43
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-12220

ALL THAT CERTAIN message, or tenement and tract or piece of land, now known as No. 156 New Street,

situated in the Borough of Hellertown, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEING Tract No.3 and all that lot or piece of ground situate on the west side of Union Street, now New Street, containing in front on said Union Street, now New Street, forty (40 feet) feet, more or less, and extending of that width one hundred forty (140 feet) feet, more or less, to a public alley, bounded on the North by lot now or late of J.S. and M.J. Hess; on the East by said New Street; on the South by lot now or late of J.S. and M.J. Hess and on the West by said public alley.

TITLE TO SAID PREMISES IS VESTED IN Michael Kline, by Deed from Harold S. Schaeffer and Madlyn V. Schaeffer, h/w, dated 07/31/2002, recorded 08/02/2002 in Book 2002-1, Page 203148.

Premises being: 156 NEW STREET, HELLERTOWN, PA 18055-2209.

Tax Parcel No. Q7SW3D 3 4 0715.

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

SEIZED AND TAKEN into execution of the writ as the property of Michael E. Kline a/k/a Michael Kline.

DANIEL G. SCHMIEG, ESQUIRE

No. 44

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2010-12498

ALL THAT CERTAIN tract, lot or piece of ground and residence situate on the Easterly side of Kemmerer Road, in the Township of Moore, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the Easterly right of way line of Kemmerer Road, Township Road 584,

said point also being located on the Southerly property line of Kermit Kemmerer as recorded in Deed Book Volume A100 on page 259; thence extending along the southerly property line of Kermit Kemmerer North 52 degrees 30 minutes East 200.00 feet to a point; thence extending in and through other land of Andrew Heyer as recorded in Deed Book F60 on page 21, South 37 degrees 30 minutes East, 210.00 feet to a point; thence still extending through lands of Andrew Heyer, South 52 degrees 30 minutes West, 218.60 feet to a point; thence still extending on the Easterly right of way line of Kemmerer Road, TR 584; thence extending along the Easterly right of way line of Kemmerer Road; North 14 degrees 00 minutes West 200.00 feet to the place of beginning.

CONTAINING 50,620.98 square feet, 1.16 acres.

TITLE TO SAID PREMISES IS VESTED IN Grant E. Schibilia, Jr., unmarried, by Deed from Grant E. Schibilia, unmarried, dated 10/04/2001, recorded 10/05/2001 in Book 2001-1, Page 207277.

Premises being: 186 KEMMERER ROAD, NAZARETH, PA 18064-9068.

Tax Parcel No. J6 14 2A 0520.

THEREON BEING ERECTED a two-story single split-level style dwelling with attached two-car garage with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Grant E. Schibilia a/k/a Grant E. Schibilia, Jr.

DANIEL G. SCHMIEG, ESQUIRE

No. 45

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2010-7188

ALL THAT CERTAIN lot or piece of ground with the building and im-

provements thereon, situate in the Township of Palmer, Northampton County, Pennsylvania, being known as Lot No. 48 as shown on the Plan of "Wilden Acres" said map or plan being recorded in Northampton County Map Book 12, page 53, more particularly bounded and described as follows, to wit:

ON the north by Wilden Drive South, on the east by Peachtree Court, on the south by Lot No. 177 on said plan, and on the west by Lot No. 49 on said plan.

CONTAINING in front or width on Widen Drive South 70 feet and in depth 120 feet.

Being known as: 49 Wilden Drive, Easton, Pennsylvania 18045.

Title to said premises is vested in Eleanor A. Walker by deed from SANDRA L. WENNER dated November 21, 2005 and recorded November 23, 2005 in Deed Book 2005-1, Page 471242.

TAX I.D.#: M8SE2-17-30.

THEREON BEING ERECTED a single cape cod style dwelling with attached one-car garage with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Eleanor A. Walker.

MARGARET GAIRO, ESQUIRE

No. 46
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-12456

ALL THAT CERTAIN lot or parcel of ground situated in the TOWNSHIP OF PALMER, COUNTY OF NORTHAMPTON AND COMMONWEALTH OF PENNSYLVANIA, being known and referred to as BLOCK C LOT 25 of OLD ORCHARD AT STONES CROSSING—PHASE III, on a certain subdivision map, plat or plan entitled New Orchard Estates—Phase III, said

subdivision having been renamed to 'Old Orchard at Stones Crossing' and this phase being renamed as OLD ORCHARD AT STONES CROSSING PHASE III, which Plan was recorded on August 7, 2002 in the Office of the Recorder of Deeds in and for Northampton County, Pennsylvania in Map Book 2002-5 at page 212. ALSO BEING KNOWN AS NORTHAMPTON COUNTY, PENNSYLVANIA TAX PARCEL NUMBER: Map M8, Block 11, Lot 13-25C SAID PARCEL BEING a part of the same premises which RGC Development L.P., by its deed dated December 8, 2003 and recorded in the Office of the Recorder of Deeds in and for Northampton County, Pennsylvania on December 18, 2003 in Record Book Volume 2003-1, page 520283, granted and conveyed unto Danilo J. Machin and Gladys G. Machin.

UNDER AND SUBJECT to covenants, conditions, easements and restrictions appearing of record and as set forth on the said Plan of Old Orchard at Stones Crossing-Phase III, but this reference to prior covenants, easements, conditions and restrictions shall not serve to revive or continue any easements, rights or obligations which expired, extinguished or abandoned.

TITLE TO SAID PREMISES IS VESTED IN Danilo J. Machin and Gladys G. Machin, h/w, by Deed from RGC Development, L.P., a Pennsylvania Limited Partnership, dated 12/08/2003, recorded 12/18/2003 in Book 2003-1, Page 520283.

Premises being: 1521 TOURSDALE DRIVE, EASTON, PA 18045-6109.

Tax Parcel No. M8 11 13-25C 0324.

THEREON BEING ERECTED a two-story single dwelling with at-

tached two-car garage with vinyl siding and stone exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Danilo J. Machin and Gladys G. Machin.

DANIEL G. SCHMIEG, ESQUIRE

No. 47

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-3821**

ALL THAT CERTAIN message, tenement and tract of land located on the east side of Broad Road (T 634A), south of Mountain Road (SR 4010), in Bushkill Township, Northampton County, Commonwealth of Pennsylvania, known as 1564 Broad Road and designated Lot 1 on the Minor Subdivision Plan of property of Bruce E. Brumbaugh, recorded in Map Book 1998-5, page 22, being bounded and described as follows, to wit:

BEGINNING at an iron pipe on the ultimate easterly right-of-way line of Broad Road, 30 feet from its center-line in line of land now or late of James A. Weller; thence along the southerly property line of the same and of land now or late of Harrison Kline Jr., North 61 degrees 33 minutes 16 seconds East, 616.67 feet to an iron pipe; thence along the westerly property line of land now or late of Wilson F. Rissmiller, South 29 degrees 25 minutes 00 seconds East, 344.54 feet to an iron pipe; thence along the northerly property line of Lot 2 of said subdivision, South 60 degrees 05 minutes 34 seconds West, 613.41 feet to an iron pipe; thence along the ultimate easterly right-of-way line of Broad Road, North 29 degrees 54 minutes 26 seconds West, 363.84 feet to the place of beginning.

CONTAINING 5.0000 acres.

TOGETHER WITH the covenant and agreement of the prior grantors,

Henry E. Atherholt, et al, as set forth in the Deed above-mentioned.

SUBJECT TO the right-of-way agreement dated 01/02/1998, recorded 01/19/1998 on Book 1998-1, Page 017594.

TITLE TO SAID PREMISES IS VESTED IN Jason L. Dewalt and Jamie L. Kocher, by Deed from Bruce E. Brumbaugh and Catherine J. Brumbaugh, h/w, dated 09/16/2005, recorded 09/28/2005 in Book 2005-1, Page 374849.

Premises being: 1564 BROAD ROAD, WIND GAP, PA 18091-9734.

Tax Parcel No. F7-6-1-0406.

THEREON BEING ERECTED a single ranch style dwelling with aluminum siding exterior and shingle roof; detached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Jamie L. Kocher a/k/a Jamie Kocher-Dewalt and Jason L. Dewalt.

DANIEL G. SCHMIEG, ESQUIRE

No. 48

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-940**

ALL THAT CERTAIN lot or piece of round situate in the Township of Allen, County of Northampton and State of Pennsylvania, according to a plan of Paul H. Moyer recorded in the Office for the Recording of Deeds in and for the County of Northampton in Map Book 92, Page 246, bounded and described as follows, to wit:

BEGINNING at an iron pipe (found) located on the westerly right of way line of Northampton Street (a/k/a Savage Road, 40 feet wide), said point being the intersection of the northerly right of way line of a 20 foot wide alley and the westerly right of way line of said Northampton Street; thence along the northerly right of way line of a 20 foot wide alley,

North 77 degrees 52 minutes 00 seconds West 140.00 feet to an iron pipe (found); thence along the easterly right of way line of another 20 foot wide; alley, North 12 degrees 8 minutes 00 seconds East 200.00 feet to a point; thence along the southerly property line of lands now or late of John Fassman, South 77 degrees 52 minutes 00 seconds East 140.00 feet to a point, thence along the westerly right of way line of said Northampton Street, South 12 degrees 8 minutes 00 seconds West 200.00 feet to a point, the place of beginning.

SUBJECT TO ALL THAT CERTAIN RIGHT OF WAY DATED 3/6/1990, RECORDED 3/9/1990 IN BOOK VOLUME 0369, PAGE 0005.

TITLE TO SAID PREMISES IS VESTED IN Samuel Shetayh and Dana Shetayh, h/w, by Deed from Samuel Shetayh, dated 10/26/2005, recorded 11/03/2005 in Book 2005-1, Page 439344.

Subject to Sewer Easement recorded in book 2004-1, Page 368385.

Premises being: 481 SAVAGE ROAD, NORTHAMPTON, PA 18067-9009.

Tax Parcel No. L4SE1-3-9-0501.

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

SEIZED AND TAKEN into execution of the writ as the property of Dana Shetayh and Samuel Shetayh.

DANIEL G. SCHMIEG, ESQUIRE

No. 49

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-7425**

All that certain message or tenement and parcel of land situate in the Second Ward of the Borough of Northampton, Northampton County,

Pennsylvania, being Lot No. 52 on plan of town lots laid out of the land of the Estate of Samuel Laubach, deceased, by L.J.H. Grossart, C.E., and now known as 1236 Main Street, Northampton, Pennsylvania.

Bounded on the North by Lot No. 51, now or late the property of John S. Renner, formerly Samuel Renner; on the East by Main Street; on the South by Lot No. 53, now or late the property of Frank J. Roethline; and on the West by a 10.00 foot wide alley.

Containing forty (40.00) feet in front on the West side of Main Street and extending Westwardly of that width, at right angles to Main Street, for a depth of one Hundred forty (140) feet to a 10.00 foot wide alley.

TITLE TO SAID PREMISES IS VESTED IN Jose Chavarria, by Deed from James J. Cavallo and Edna J. Cavallo, dated 08/23/2004, recorded 08/24/2004 in Book 2004-1, Page 331746.

Premises being: 1236 MAIN STREET, NORTHAMPTON, PA 18067-1609.

Tax Parcel No. M4NW2D-4-10-0522.

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 Jose Chavarria.

DANIEL G. SCHMIEG, ESQUIRE

No. 50

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-4966**

ALL THAT EASTERN one-half of a certain brick dwelling house, now known as No. 2429 Forest Street and lot or piece of ground upon which the same is erected, situated on the North side of Forest Street, in the Borough of Wilson, County of Northampton

and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the North line of said Forest Street, where said line intersects with the center line of a partition wall dividing the premises hereby conveyed, from the Western one-half of said double brick dwelling house, now or late of property of J.P. Lenhart and wife, and now known as No. 2431 Forest Street; thence extending Eastwardly in frontage on the North line of said Forest Street, fourteen and one-half feet, more or less, to the center line of a four feet wide passageway extending between the premises hereby conveyed and other premises now or late of Aaron W. Hackman and wife adjoining theses premises on the East; thence extending Northwardly on the center line of the said passageway and continuing in its direction, one hundred twenty feet, more or less, to a ten feet wide alley; thence Westwardly along said alley, fourteen and one-half feet, more or less, to a point in the projected center line of said partition wall; and thence Southwardly, one hundred twenty feet, more or less, on the center line of said partition to the place of beginning.

TOGETHER with the right to use the other portion of said passageway, to wit: the Eastern two feet thereof, in common with the former Aaron W. Hackman and wife, now or formerly Robert S. Hall and wife, their heirs and assigns, and the owners and occupiers for the time being of all other houses adjoining said passageway.

BUT EXCEPTING AND RESERVING, however, unto the formerly Aaron w. Hackman and wife, now or formerly Robert S. Hall and wife, their heirs and assigns, full and free right and liberty at all times, hereafter in

common with the present grantee, his heirs and assigns, and all other persons who may hereafter by the owners or occupiers of the premises hereby conveyed, to use so much of such passageway as is hereby conveyed to wit: the Western two feet thereon, at all times and for all purposes connected with the use and occupation of the formerly Aaron W. Hackman and wife, now or formerly Robert S. Hall and wife, other lands and the house now known as No. 2427 Forest Street.

SAID PREMISES are bounded on the South by Forest Street; on the West by property now or late of J. F. Lenhart and wife; on the North by said alley; and on the East by the other property now or late of Aaron W. Hackman and wife.

TITLE TO SAID PREMISES IS VESTED IN Stacey A. Fiorese, by Deed from Tricia L. Vanarsdale, unmarried, dated 09/17/2007, recorded 09/25/2007 in Book 2007-1, Page 351739.

Premises being: 2429 FOREST STREET, EASTON, PA 18042-5367.

Tax Parcel No. L9SW4C 1 25 0837.

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

SEIZED AND TAKEN into execution of the writ as the property of Stacey A. Fiorese.

DANIEL G. SCHMIEG, ESQUIRE

No. 51

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-7833**

ALL THAT CERTAIN message, tenement, piece or parcel of land located in the Third Ward of the Borough of Bangor, County of Northampton, and State of Pennsylvania, more

specifically described as follows, to wit:

BEGINNING at a point 25.75 feet measured Westwardly along the North side of Broadway Street from the Northwest corner of that lot formerly owned by Stephen Cole, now by Samuel Hahn; thence along the North side of Broadway North 79 degrees 35 minutes West 19.25 feet to a point and land now or late of Mary Pritchard, of which this was once a part; thence along the same North 11 degrees East 130 feet to a the South side of Rose Alley, South 79 degrees 30 minutes East 22.5 feet to a point and land about to be conveyed to Melvin D. Frey and Hazel R. Frey, his wife; thence along the same, South 11 degrees West 50.3 feet to a point; thence South 22 degrees 52 minutes West 19.53 feet to a point in the center of the partition wall of a double frame dwelling, known as 613-615 Broadway; thence through the center line of a said partition wall generally Southwardly 60.17 feet to a point, the place of beginning. Thereon being erected a residence known as 615 Broadway.

TITLE TO SAID PREMISES IS VESTED IN Robert E. Robinson, by Deed from Edward D. Hendershot, Jr. and Connie L. Hendershot, h/w, dated 06/09/2006, recorded 06/21/2006 in Book 2006-1, Page 249430.

Premises being: 615 BROADWAY, BANGOR, PA 18013-2419.

Tax Parcel No. E9NE1C 2 15 0102.

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

SEIZED AND TAKEN into execution of the writ as the property of Robert E. Robinson.

DANIEL G. SCHMIEG, ESQUIRE

No. 52
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-12221

ALL THAT CERTAIN messuage and lot or piece of land, situate in the City of Bethlehem, (formerly the Borough of South Bethlehem), County of Northampton, State of Pennsylvania, and designated as Lot No. Fourteen (14) according to Plan of Lots of L.S. Jacoby, C.E. and known as No. 739 Hillside Avenue according to city numbering, bounded and described as follows:

BEGINNING at a point in the eastern line of Hillside Avenue at a distance of one hundred and seven feet (107 feet N.W.) North West from the intersection of Hillside Avenue and twenty foot wide alley-THENCE extending northwestwardly along Hillside Avenue thirty(30 feet) feet to Lot No. 13, THENCE of the same width extending northwestwardly along Lot No. 13, between parallel lines at right angles to Hillside Avenue, one hundred and twenty-five (125 feet) feet, more or less, to a twenty foot wide alley.

TITLE TO SAID PREMISES IS VESTED IN Michelle J. Smith, by Deed from Rita J. L. Straub and Henry E.P. Straub, h/w, dated 04/20/2007, recorded 04/30/2007 in Book 2007-1, Page 156826.

Premises being: 739 HILLSIDE AVENUE, BETHLEHEM, PA 18015-3413.

Tax Parcel No. P6SE2D 20 6 0204.

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

SEIZED AND TAKEN into execution of the writ as the property of Michelle J. Smith.

DANIEL G. SCHMIEG, 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.

RANDALL P. MILLER

Sheriff

Northampton County,

Pennsylvania

CHRISTOPHER T. SPADONI

ESQUIRE

Solicitor to the Sheriff

June 16, 23, 30

***The Pennsylvania Bar Association
announces a great new member benefit:***



InCite™ is an innovative approach to FREE online legal research — available exclusively to Pennsylvania Bar Association members.

It is fast, easy and accessible from anywhere. Powered by LexisNexis,™ the leader in legal research, InCite gives lawyers online access to Pennsylvania and federal research information, including court decisions, statutes and codes.

Use InCite to manage your research costs and streamline your research procedures.

Join the Pennsylvania Bar Association now to take advantage of this new members-only benefit.

LexisNexis is a registered trademark of Reed Elsevier Properties Inc. used under license. ©2002 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

**For an InCite
demo, visit
www.pabar.org
and click on
InCite.**

**For more
information,
or to join the
PBA, call
1-800-932-0311
or visit
www.pabar.org.**



**IN RE: PETITION FOR INITIATIVE TO PREVENT THE SALE
AND/OR LEASE OF GRACEDALE FILED WITH THE
NORTHAMPTON COUNTY ELECTIONS COMMISSION
ON JANUARY 18, 2011**

Objections—Election Code—Northampton County Home Rule Charter—Ballot Initiative—Petition—Timeliness—Equitable Estoppel—Budget—Capital Program—Capital Improvements Plan.

Court dismisses objections filed by County Executive to ballot initiative petition. The County Executive filed an objection alleging that the ballot question posed by the Petition Committee did not conform to the Northampton County Home Rule Charter because it extended to the budget or capital program, which violates Section 1101(b) of the Charter. The Petition Committee argued that the County Executive's objection was untimely because the last day for filing the petition was January 18, 2011 and the objection was filed on February 3, 2011. Pursuant to the Election Code, objections to a nominating petition are required to be filed within 7 days of the last day for filing nominating petitions.

The Court held that the County Executive's objections were timely because the Election Commission first determines whether a proposed initiative conforms to the Charter. Because the Commission first decided the proposed initiative did not conform on January 25, 2011, and then reversed itself on January 31, 2011, the 7-day time period for filing objections did not begin to run until January 31 under the equitable theory of estoppel.

The County Executive presented testimony from the Director of Fiscal Affairs, who is responsible for preparing the County budget and capital improvements plan and himself. Both testified that the sale of Gracedale was not included in the 2011 Proposed Budget, the 2011 Approved Budget, or the Capital Improvements Plan. The Court determined that Section 1101(b) prevents ballot initiatives that would impair the County's ability to conduct day-to-day operations. Because the preparation of a budget and capital program are functions given solely to the County's elected representatives, the Home Rule Charter prohibits voter initiatives that would prevent the County from executing the budget and capital program.

The Court defined the terms "budget" and "capital program" as used in the Home Rule Charter. The Court found that the term "capital program" referred to the capital improvements plan the County prepares on a regular basis. The sale of Gracedale could not be found in the County's 2011 budget or capital improvements plan. The Court held that because the proposed initiative would not interfere with the County's 2011 budget or capital improvements plan, the proposed initiative did not extend to the budget or capital program and conformed to the Home Rule Charter.

In the Court of Common Pleas of Northampton County, Pennsylvania,
Civil Division—No. C-48-CV-2011-1095.

KARL LONGENBACH, ESQUIRE, Northampton County Solicitor.

MARK STEWART, ESQUIRE, Special Counsel to Northampton County.

LAWRENCE M. OTTER, ESQUIRE, for the Gracedale Initiative Petition
Committee.

GARY ASTEAK, ESQUIRE and ALAINE WILLIAMS, ESQUIRE, for Intervenor
Ellen Weiss.

Order of the Court entered on February 15, 2011 by BARATTA, J.

*DECISION**PROCEDURAL AND FACTUAL HISTORY*

Under this term and number is the contest to the legality of a Ballot Initiative submitted by the Gracedale Initiative Petition Committee (“Committee”), which proposed: “The county nursing home, known as Gracedale, shall not be sold and/or leased by the County of Northampton for a period of five years from the date of the approval of this ordinance.”

On January 31, 2011, the Northampton County Election Commission made a determination that the Gracedale Ballot Initiative conformed with the provisions of the Northampton County Home Rule Charter and certified the Ballot Initiative for submission to County Council for further action.

In response to the decision by the Election Commission to certify the Ballot Initiative, the Northampton County Executive, John Stoffa, filed objections seeking judicial review of the Election Commission action alleging that the Initiative violated the directives of Article XI, Sec. 1101(b) of the Northampton County Home Rule Charter. Mr. Stoffa’s Objections were filed on February 3, 2011.

We scheduled this matter for a hearing on February 11, 2011. On that date, Lawrence Otter, Esquire, appeared on behalf of the Committee. Gary Asteak, Esquire and Elaine Williams, Esquire appeared on behalf of one of the circulators of the Gracedale Petitions, Ellen Weiss. Ms. Weiss sought to intervene in this dispute. The Northampton County Solicitor, Karl Longenbach, Esquire, appeared on behalf of Mr. Stoffa. A fourth attorney, Mark Stewart, Esquire, of Eckert, Seamans, Cherin & Mellott, LLC, appeared as co-counsel for Mr. Stoffa.

Prior to commencing testimony, several procedural issues were raised by counsel. The first procedural issue was that Mr. Stoffa raised an objection to the Intervention Petition of Ellen Weiss, arguing that Ms. Weiss had no standing to defend the Ballot Initiative. In response, Mr. Asteak noted that Ellen Weiss was an employee of Gracedale and a petition circulator who amassed hundreds of valid signatures in support of the Ballot Initiative. Mr. Asteak further represented that Ms. Weiss is not a member of the Committee, but given her unique status as an individual who circulated petitions in order to place the Initiative on the ballot, she had standing to defend the ballot question which appeared on the petitions she circulated. We note that Ellen Weiss was the only Northampton County elector who sought to intervene in this matter. We overruled the objection of Mr. Stoffa and found that Ellen Weiss, because of her unique involvement in this matter, had standing to defend her petitions and the ballot question.

Procedural issues were also raised by Mr. Otter and Mr. Asteak, who asserted what were framed as Preliminary Objections to Mr. Stoffa’s pleading. Counsel argued that Mr. Stoffa had no standing to prosecute objections to the Initiative Petition and alternatively, if Mr. Stoffa did have standing, that his pleading was untimely.

With regard to the attack on standing, Mr. Otter suggested that Article XI of the Home Rule Charter did not contemplate judicial review of ballot initiatives once certified as proper by the Election Commission. We rejected Mr. Otter's argument. We note that there are appellate cases issued by the Pennsylvania Supreme Court that recognize the standing of a municipal government to attack ballot initiatives. *See In Re Voter Referendum Petition Filed August 5, 2008*, 602 Pa. 569, 981 A.2d 163 (2009) (Ballot Referendum seeking to limit the drink tax imposed by the Allegheny County Council); *Deer Creek Drainage Basin Authority v. County Board of Elections of the County of Allegheny*, 475 Pa. 491, 381 A.2d 103 (1977) (Townships filed petition to prohibit county board of elections and county commissioners from placing on ballot a referendum question).

With regard to the allegation that Mr. Stoffa's pleading was untimely, Mr. Otter and Mr. Asteak noted that the Initiative was filed with the Voter Registrar on January 18, 2011, the last day for filing this Ballot Initiative for the May ballot as set by the Home Rule Charter. *See* Article XI, Section 1103(d). Counsel also noted that Mr. Stoffa's objection to the Initiative was filed on February 3, 2011. Counsel asserted that Section 2937 of the Pennsylvania Election Code requires that objections to petitions must be filed within seven days after the last day for filing the challenged petition. *See* 25 P.S. §2937. Counsel asserted that the seven-day time limitation commenced on January 18, 2011 and had long since expired when Mr. Stoffa filed his pleading on February 3, 2011. Both Mr. Asteak and Mr. Otter referenced *In Re Waynesboro Sunday Movie Referendum Case*, 383 Pa. 162, 117 A.2d 699 (1955), which mandates that there is a seven-day time limitation for filing objections to referendum petitions which commences, as set forth in the Election Code, from the last day for filing such petitions.

We rejected the argument that Mr. Stoffa's pleading was untimely. We noted that Section 2937 specifically places a seven-day limitation for filing objections to individual candidate nominating petitions. Section 2937 does not specifically address Ballot Referendum/Initiative petitions. With regard to candidate nominating petitions, once a candidate submits nominating petitions that purport to have the appropriate number of registered voters, that candidate, by operation of the Election Law, is placed onto the ballot within seven days of the closing date for filing nominating petitions. Any objector to a candidate's petition is on notice that if he or she fails to pursue objections within seven days of the closing date for filing, the candidate's position on the ballot is unassailable.

Clearly, a Ballot Referendum/Initiative petition differs from a candidate nominating petition. A ballot initiative is the creation of the Home Rule Charter. Therefore, we look to the provisions of the Home Rule Charter for determining the time limitation for filing contests to ballot initiative petitions. Here the Charter is silent as to filing objections. Therefore, we look

to both the provisions of the Home Rule Charter and the Election Code to “gap fill” this silent area to determine a reasonable resolution which does not conflict with the intent of either legislation.

First, unlike nominating petitions under the Election Code, the mere filing of the ballot initiative does not result in automatic qualification and placement on the ballot after seven days. The Home Rule Charter specifically requires the Election Commission to review the petition for ballot initiative to determine if the initiative conforms with Article XI of the Charter. The Election Commission has twenty days to complete its review of the petition. If the Commission finds that the initiative petition is in compliance, the initiative shall be certified and submitted to County Council for further action. If the Election Commission determines that the filing does not conform, the proposed ballot initiative or referendum is rejected and “returned to the petition committee.” See Article XI, Section 1104(a). Therefore, until the Election Commission takes action on the proposed Ballot Initiative/Referendum, any challenge would be premature because the filing has not yet been accepted. It is only after the Election Commission certifies the Ballot Initiative/Referendum for filing that the time frame for pursuing objections begins to run and potential objectors are first put on notice to pursue any objections.

Because the Charter is silent as to the time frame for filing objections to a ballot initiative, we shall be governed by the seven-day period set by Section 2937 of the Election Code, using the date of certification by the Election Commission as the trigger date commencing the seven-day period for filing objections.

We further note that on January 25, 2011, the Election Commission initially reviewed the Gracedale Petition submission, ruled it improper and refused to certify it. On that date, all potential objectors to the Gracedale Initiative Petition had been notified that a determination had been made by the Election Commission that the Initiative would not be placed before the voters. Clearly, the action of the Election Commission on January 25, 2011, triggered the equitable concept of estoppel related to the filing date for objections. Thus, it was not until January 31, 2011, when the Election Commission first certified the Gracedale Ballot Initiative, that Mr. Stoffa was on notice to file his objection. He did so on February 3, 2011, well within the seven-day period for contesting election petitions under Section 2937 of the Election Code. For this reason, we found Mr. Stoffa’s pleading timely.

After ruling on the procedural issues, we were ready to take testimony. Before any witnesses were called, we announced that the Northampton County Home Rule Charter, the County Executive’s proposed 2011 County Budget and Capital Improvements Plan filed in conformity with Article VII of the Home Rule Charter, and the final County Budget as approved by County Council were all public documents of which we would

take judicial notice. We then suggested to all counsel that, based upon our review of Mr. Stoffa's petition, the ultimate issue before the Court was a very narrow, legal question as to whether or not the one-sentence Ballot Initiative conformed to the requirements of Article XI of the Home Rule Charter. Even though we believed that the dispute involved a narrow legal determination, we gave the parties the opportunity to supplement the record with any testimony needed to support their respective positions.

Mr. Longenbach first called Vic Mazziotti, the Director of Fiscal Affairs for Northampton County. Mr. Mazziotti is effectively the Chief Financial Officer for the County with responsibility for all budget and accounting functions of the County Executive. Mr. Mazziotti testified that he is familiar with all of the county's financial statements, capital improvements plans and budgets. In fact, Mr. Mazziotti's office prepares the Executive's proposed budget and capital improvements plans required under the Charter for submission each year to County Council. We found the relevant portions of Mr. Mazziotti's testimony to be the following:

1. The 2011 proposed budget by the County Executive does not contemplate the sale of Gracedale.

2. The 2011 capital improvements plan submitted by the County Executive does not contemplate the sale of Gracedale.

3. In Mr. Mazziotti's opinion, the sale of Gracedale would not be a capital event that would appear on a capital plan submitted by the County Executive.^[1]

4. The 2011 Budget, as approved by County Council on November 4, 2011 (Exhibit "4"), did not reference the sale of Gracedale. Mr. Mazziotti noted that the 2011 budget approved by County Council should have spanned the entire fiscal year. However, County Council carved out funding Gracedale for the entire year. Specifically, Council only provided for the funding of Gracedale until June 30, 2011. Mr. Mazziotti's testimony was that should Gracedale continue to be county-owned, Council would be required to take additional action in order to fund Gracedale as of July 1, 2011.

During Mr. Mazziotti's direct examination, Mr. Longenbach also asked questions with regard to the impact of Gracedale on the county budget. There was significant discussion by Mr. Mazziotti as to the difficulty that Gracedale had been having over the past several years by failing to remain profitable—the yearly revenue generated by Gracedale did not meet the yearly expenses incurred by Gracedale. According to Mr. Mazziotti's

¹ We were surprised by Mr. Mazziotti's claim, as it seemed to eliminate Mr. Stoffa's assertion that the Ballot Initiative extended to a Capital Program. We carefully questioned Mr. Mazziotti on this issue, even reviewing our belief that a sale of Gracedale would be material to a Capital Plan. However, Mr. Mazziotti definitively asserted the sale of Gracedale was a capital event, but it would *not* be included in the County's Capital Plan.

testimony, for the fiscal year 2009, Gracedale operated at a deficit in excess of 4 million dollars. For the year 2010, Gracedale operated at a deficit of 2.8 million dollars. Finally, Mr. Mazziotti testified that the 2011 proposed budget anticipated that Gracedale's deficit would approach 6 million dollars.

Mr. Longenbach inquired of Mr. Mazziotti with regard to the budgetary impact of Gracedale and also what steps the County could undertake to address the budget deficit. Mr. Mazziotti discussed the proposed sale of Gracedale as one solution.

On cross-examination, counsel began to question Mr. Mazziotti about issues related to the "mismanagement" of Gracedale, inferring that the deficits incurred by Gracedale could likely be addressed should the County pursue a new management team. Counsel also questioned Mr. Mazziotti about other capital and budget strategies that could address the County budget deficit other than selling Gracedale. Mr. Mazziotti acknowledged the County's Quarterly Comprehensive Report for the Fourth Quarter (Exhibit "2") indicated that the County's fund balance (surplus) was in excess of 60 million dollars. Counsel suggested that the surplus could be used to cover Gracedale's losses. However, Mr. Mazziotti asserted that the 60 million dollar figure was inaccurate because not all of the surplus was available in cash.

We interrupted additional cross-examination because we thought it was irrelevant and unhelpful with regard to our determination as to the legality of the ballot question.

Mr. Longenbach then announced he was going to call the Objector, County Executive, John Stoffa, as his next witness. We again inquired as to the relevance of Mr. Stoffa's testimony, given the limited issue before the Court. Mr. Longenbach's response was that the sale of Gracedale had an impact on the County budget and therefore he wished to make a record with Mr. Stoffa. Mr. Stoffa's testimony, for our purposes, was significant as follows:

1. Mr. Stoffa admitted that the sale of Gracedale was not contemplated in his 2011 Proposed Budget.
2. Mr. Stoffa admitted that the sale of Gracedale was not contemplated in his 2011 Capital Improvements Plan.
3. Mr. Stoffa acknowledged that his 2011 Budget Message, which accompanied his Proposed Budget, did not address the sale of Gracedale other than to suggest to County Council that the possibility of leasing or selling Gracedale was an issue that County Council may wish to consider to cut expenditures.
4. Finally, Mr. Stoffa acknowledged that Exhibit '7'—County Council Resolution 71-2010 dated August 19, 2010, directed that he pursue '... proposals which would provide for the alternate ownership of Gracedale through the sale or lease of Gracedale.' His efforts in response to County Council's

Resolution included hiring outside counsel to conduct the bidding process to sell Gracedale.

Mr. Longenbach also inquired of the County Executive as to his efforts related to examining options addressing Gracedale's impact on the budget. The County's Exhibit "8", a thick binder which represented the work of a consultant engaged by Mr. Stoffa who reviewed Gracedale's operations, provided suggestions with regard to improving the operations/management of Gracedale and other options available to the County. The sale of Gracedale was one of the options proposed by the consultant.

When Mr. Stoffa's direct testimony was completed, we announced that we would not permit cross-examination as to the County Executive's efforts to address the entire budget shortfall, Gracedale's financial condition, or anything related to the decision to place Gracedale out for bid. Arguably the door was opened by Mr. Stoffa's direct testimony with regard to budgetary considerations related to addressing the overall County deficit, including the decision to sell Gracedale. However, we were fearful that the cross-examination would turn into a debate regarding the Administration's management of Gracedale and possibly an attack on past budgetary decisions and capital programs which arguably have had an impact on the County's current budget struggles. We anticipated that such cross-examination would be argumentative and irrelevant as to the legal question before us solely related to the legality of the one-sentence Ballot Initiative.

However, we did address Mr. Longenbach's initial proffer related to the assertion that Gracedale and the sale of Gracedale has an impact on the County budget. We requested that opposing counsel stipulate to Mr. Longenbach's proffer. Counsel did so stipulate.

Interestingly, on cross-examination Mr. Stoffa acknowledged that he met with members of the Gracedale Initiative Petition Committee late in 2010 and encouraged them to pursue a ballot initiative. At that time, Mr. Stoffa testified that he was under the belief that a ballot initiative on the issue of Gracedale was proper under the Charter. He further testified that it was later, after his advisors informed him that the ballot initiative violated the Charter, that he changed his mind.

Mr. Longenbach called no further witnesses. Mr. Otter and Mr. Asteak opted not to call any witnesses and we heard brief argument.

We shall now reference the pertinent provisions of the Home Rule Charter that will impact our decision:

Article VI

Legislation

Section 602. Ordinances

(a) Acts Required. The County Council shall adopt an ordinance for any act which—... .

... (6) purchases, conveys, leases or authorizes the purchase conveyance or lease of any real property of the County; ...

*Article VII**Finance**Section 702. Capital Improvements Plan*

(a) Submission. No later than ninety (90) days before the beginning of the succeeding fiscal year, the County Executive shall submit to the County Council a capital improvements plan for at least the succeeding three (3) fiscal years.

(b) Content. The capital improvements plan shall include for each fiscal year a list of those capital improvement projects pending and those proposed to be undertaken, together with the estimated cost of each project, and the proposed method of financing.

(c) Hearing and Notice. After submission of the capital improvements plan by the County Executive, the County Council shall hold at least one (1) public hearing on the capital improvements plan. The Clerk of Council within seven (7) days after such submission, shall cause to be published in at least two (2) newspapers of general circulation in the County a notice specifying the place and time of the public hearing and place and time where copies of the capital improvements plan will be available for inspection. The Clerk of Council, within seven (7) days after such submission and at least fourteen (14) days before the date of the public hearing, shall distribute a copy of the capital improvements plan to each elected official, to public libraries, and to the offices of each city, borough, and township in the county

Section 703. Budget and Budget Message

(a) Content. The budget shall provide a complete financial plan of all funds and activities for the fiscal year. Except as required by other law or this Charter, the budget for the succeeding fiscal year shall be in such format as the County Executive deems appropriate unless the County Council shall require a different format by a resolution adopted prior to the beginning of the then current fiscal year. In organizing the budget, the County Executive shall utilize the most feasible combination of expenditure classification by fund, agency, program, purpose or activity, and object. The budget shall begin with a general summary of its contents, shall show in detail all estimated income and all proposed expenditures, including debt service, for the fiscal year, and shall be arranged to show comparative figures for actual and estimated income and expenditures of the preceding fiscal year.

(b) **Balanced Budget.** The total of proposed expenditures shall not exceed the total of anticipated funds available.

(c) **Budget Message.** The budget message shall explain the budget in fiscal terms and in terms of work programs. It shall outline the proposed financial policies for the succeeding fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues, together with the reasons for such changes, summarize the debt position, and include such other material as the County Executive deems appropriate

Section 704. Action on Budget

(a) **Hearing and Notice.** After the submission of the budget by the County Executive, the County Council shall hold at least one public hearing on the budget. The Clerk of Council within seven (7) days after such submission, shall cause to be published in at least two (2) newspapers of general circulation in the County a notice specifying the place and time of the public hearing and place and times where copies of the budget will be available for inspection. The Clerk of Council, within seven (7) days after such submission and at least fourteen (14) days before the date of the public hearing, shall distribute a copy of the budget to each elected official, to public libraries, and to the offices of each city, borough, and township in the county.

(b) **Amendment before Adoption.** After the public hearing and before adoption, the County Council shall have the power to amend the budget submitted by the County Executive ...

Section 705. Amendment after Adoption

(a) **Supplemental Appropriations ...**

(b) **Emergency Appropriations ...**

(c) **Reduction of Appropriations ...**

(d) **Transfer of Appropriations ...**

Article XI

Direct Citizen Participation

Section 1101. Initiative, Referendum, and Recall

(a) **Reservation of Power.** In accordance with the provisions of this article, the registered voters of the County shall have the power by initiative to enact and repeal ordinances, by referendum to suspend and repeal ordinances, and by recall to remove officials from office.

(b) **Limitation of Power.** The power of initiative and referendum shall not extend to the budget or capital program ...

DISCUSSION

The Northampton County Executive and County Council, like many municipal governments throughout the country, are currently struggling with significant budget shortfalls. On August 18, 2010, County Council passed a resolution directing the County Executive to pursue proposals to lease or sell the county-owned nursing home known as the Gracedale Nursing Home (“Gracedale”). By selling Gracedale, in addition to the money generated from the sale, the county will divest itself from an underperforming asset, as well as shed itself of some 700 employees and related operational expenses. The sale of Gracedale represents a major philosophical shift related to the delivery of services to county residents who are elderly, infirm and/or indigent, as Northampton County has provided nursing care services to its residents in a county-owned facility for well over 100 years.

Apparently, there are a significant number of voters who oppose the County’s move to sell Gracedale. These voters have attempted to reverse Council’s decision by exercising the right of direct voter participation through ballot initiative as provided in the Northampton County Home Rule Charter.

Although this is a very heated dispute, we do not see our decision as a referendum as to which side is right and which is wrong. Each side raises very reasonable arguments in support of their positions. In fact, we see this dispute as part of the natural ebb and flow of good government in action. County Council has attempted to exercise its duty and responsibility as an elected representative body to address the budget shortfall with a goal of controlling the county tax rate. The Gracedale Initiative Petition Committee and the thousands of voters who have signed the Gracedale Ballot Initiative are seeking to exercise the right granted to the electorate by the Northampton County Home Rule Charter for direct voter participation in order to weigh in on the fate of Gracedale.

We take no position with regard to the ultimate question as to the fate of Gracedale. We are charged only with determining the legality of the Gracedale Ballot Initiative. The narrow issue before us is whether the language of the Ballot Initiative violates the restrictions set forth in Article XI, Section 1101(b) of the Home Rule Charter because the question extends to the County budget or capital program.

As with any judicial review or interpretation of legislation, we must follow the principles of statutory interpretation set forth in the Statutory Construction Act found in 1 Pa. C.S. §1901 *et seq.* Under the Statutory Construction Act, “[w]hen the words of a statute are clear and free from all ambiguity, the letter of it is not to be disregarded under the pretext of pursuing its spirit.” 1 Pa. C.S. §1921(b).

Initially, we must note that in *In Re: Voter Referendum Petition filed August 5, 2008*, *supra*, the Pennsylvania Supreme Court stated: “[I]n Penn-

sylvania ... we hold strong to the ideals of representative democracy and have no general constitutional provision for voter initiative or referenda.” *Id.*, 981 A.2d at 171. If we understand our Supreme Court’s edict, ballot initiatives are not favored in a representative democracy. Thus, the authorizing legislation—in this matter the Home Rule Charter—should be narrowly and strictly construed.

We also note that the framers of the Northampton County Home Rule Charter have restricted the power of ballot initiative in numerous areas including that it “shall not extend to the budget or capital program.” Although we find it unnecessary to determine the intent of the framers, we can be so bold as to surmise that it is wholly inappropriate to permit a ballot initiative or referendum that would impact the County’s ability to conduct its day-to-day affairs. Certainly, through the budget and capital programs, our elected representatives have set forth their vision for providing appropriate services to the citizens of Northampton County. County government needs to be free to hire employees to fully execute the budget and capital programs. Additionally, the County needs the unfettered ability to contract with third parties in executing its budget and capital program. It would be impossible for county government to fully execute the budget and capital program if county government and third parties with whom it wishes to contract are reluctant to enter into contracts because of the fear that their contracts may be nullified by ballot initiative/referendum.

At first blush, the County Executive’s objection to the ballot question appears to be well-founded. It is beyond argument that Gracedale has a profound effect on the yearly County budget. Every year, Gracedale impacts nearly all aspects of the County budget related to revenue, expenses, capital assets and potentially the County surplus, especially where the surplus must be used to bridge the gap between Gracedale’s revenue and expenses.

However, the mere fact that Gracedale has an impact on the budget does not preclude the Ballot Initiative.² Article XI, Section 1101(b) precludes Ballot Initiatives that “*extend to the budget or capital program.*” The budget and capital program are separate and distinct entities.

Before we can discuss the ultimate issue, we need to define the terms “budget” and “capital program” as referenced in Article XI, Section 1101(b) of the Charter. To do so, we turn to Article VII, which details how the

² After completing the testimonial record, Mr. Longenbach continued to argue the “impact of Gracedale on the Budget” supports his objection to the Ballot Initiative and justifies striking it off the ballot. We expressed the opinion that it is impossible to contemplate any legislative area of importance which would generate direct voter participation but not have an impact on the County budget. In response, Mr. Longenbach proffered a series of minor areas of interest which he claimed would not impact the County budget, such as naming parks or granting honorary recognition. We reject the argument that the framers of the Home Rule Charter took the time and energy to create Article XI, which invites direct citizen participation in County government extending to the enactment and repeal of ordinances, but intended that the Article would be limited to issues such as naming parks or granting honorary recognition. We find that assertion not worthy of consideration.

county handles its finances, including the preparation and adoption of a budget and a capital improvements plan. The term “capital program” does not appear within Article VII. Instead, Section 702 of the Home Rule Charter refers to a “capital improvements plan” that the County Executive must prepare and submit to County Council for adoption. According to Section 702, the “capital improvements plan” must contain “a list of capital improvements projects pending and those proposed to be undertaken” for each fiscal year. It is a separate and independent section from the budget.

Article VII also places strict notice and hearing requirements before any action can be taken to adopt the budget and capital improvements plan. Clearly, the Charter requires notice to the citizens and a public hearing so that the citizens can fully vet both the budget and capital improvements plan before County Council takes action to adopt either.

After our review of the entire Home Rule Charter, we can only conclude that the County’s “capital program” is subsumed within the “capital improvements plan,” which the Charter requires to be laid out in detail by the County Executive and fully vetted before the voters at a public hearing, before being acted upon by County Council.

In 2010, Mr. Stoffa, with the assistance of his Director of Fiscal Affairs, Vic Mazziotti, prepared the 2011 Proposed Budget and Capital Improvements Plan. Both Mr. Stoffa and Mr. Mazziotti testified that the sale of Gracedale was not referenced or placed within either the budget or the capital improvements plan. Further, Mr. Mazziotti testified that the sale of Gracedale was not a proper event for a capital plan. Finally, Mr. Mazziotti acknowledged that the sale of Gracedale was not referenced in the final, approved budget passed by Council.

As a result, although the Ballot Initiative designed to prevent the County from selling Gracedale will continue to impact the budget into the immediate future, it does not contravene or in any way interfere with the proposed budget and capital improvements plan submitted by Mr. Stoffa or the 2011 Budget passed by Council on November 4, 2010. The Ballot Initiative does not “extend” to those documents.

However, we believe that there is an additional examination required by this Court related to the impact of County Council’s resolution passed on August 19, 2010 and the 2011 Budget adopted by Council on November 4, 2010, which only funds Gracedale through June 30, 2011.³ Mr. Stoffa’s 2011 Proposed Budget was not accepted in the form presented to County Council. Specifically, with regard to Gracedale, County Council opted not to provide funding for the Gracedale Nursing Home for the entire year. The

³ We feel compelled to discuss these actions even though this issue was not raised in the argument proffered by the County Executive in his pleading, testimony or brief filed in support of his objections. We do so because we see this discussion to be fundamental to this dispute and necessary to define the extent of direct voter participation as provided in the Charter.

2011 Budget adopted by Council does not appear to comply with the provisions of Article VII, which discusses adopting a budget for the “fiscal year,” because it only provides funding for Gracedale for 6 months of the fiscal year.

The action taken by Council suggests at least two possibilities. First, it is a partial budget that needs to be amended before July 1, 2011, so that the County can continue to fund Gracedale. Such intention conforms with the Charter because Article VII, Section 705 does permit budget amendments by Council for appropriations. Second, the actions by Council related to the August 18, 2010 Resolution and the adopted budget suggest that Council had a plan with regard to selling Gracedale. One would think that an argument could be made that the actions of Council demonstrate a modification to the County’s Capital Program. However, the August 18, 2010 Resolution *merely* directs the County Executive to seek proposals for the future sale or lease of Gracedale. It is not an Ordinance requiring the sale.⁴ If no action is taken—if Gracedale is not sold—it would not be a violation of this Resolution. Thus, if the Ballot Initiative were passed by the voters, it would have absolutely no effect on the full implementation of this Resolution.

Finally, as part of our analysis we must address a case cited by Mr. Stoffa in support of his objection, *Cottone v. Kulis*, 74 Pa. Commonwealth Ct. 522, 460 A.2d 880 (1983). *Cottone* was a mandamus action filed by citizens against the McKeesport City Clerk’s decision to refuse to issue petition blanks to citizens who wished to place a referendum on the ballot attacking a City ordinance authorizing the sale of the City of McKeesport water system to the Water Authority of the City of McKeesport. Apparently, the Clerk’s decision to refuse to issue the petition blanks was based upon the McKeesport Home Rule Charter which stated that the referendum power “shall not extend to the budget or capital program.” The Commonwealth Court ruled that the City Clerk was correct and the proposed referendum violated the Charter because it extended to the budget or capital program.

At first glance, *Cottone* suggests that, like the dispute in McKeesport, the ballot question proposed by the Gracedale Initiative Petition Committee is improper because it extends to the budget and/or capital program. However, we must engage in a careful examination of the entire factual predicate in *Cottone*.

In *Cottone*, the City of McKeesport and the McKeesport Water Authority entered into a series of contracts related to the sale of the water

⁴ Additionally, the Home Rule Charter details very specific procedures for Council to follow to amend the budget. See Article VII, Section 705. Amendments to the budget must be done through the use of ordinances and are limited only to appropriations. The section does not provide authority to Council to amend other areas of an adopted budget. The Charter does not authorize budget amendments by resolution. Therefore, Council’s Resolution passed on August 18, 2010, does not amend the Budget.

system years before the contemplated sale. In December of 1977, the City and Authority entered into a Transfer Agreement and then on January 1, 1978, they entered into a Lease Agreement. Apparently, both contracts discussed the conditions of a future sale of the water system from the City to the Water Authority. In 1981 there were pending capital improvements needed for the water system. The Agreements discussed the possibility of the need for capital improvements as a trigger for a sale from the City to the Authority. Clearly, the sale of the Water Authority was a long-standing and well-defined capital plan, which was also incorporated into contractual documents. The ballot question proposed by the disgruntled voters in the City of McKeesport sought to interfere with those existing contracts and the well-defined capital plan. Here, unlike in *Cottone*, there are no contracts related to the sale of Gracedale nor is there a capital plan or budgetary plan which includes the sale of Gracedale. For this reason, we find the holding in *Cottone* is not an impediment to the Ballot Initiative proffered by the Gracedale Initiative Petition Committee.

In conclusion, we are limited to the record made before us and any reasonable inferences. As a result we must find that the record establishes the following:

(1) The Ballot Initiative, if passed by the voters, would not interfere with the proposed 2011 Budget or the 2011 Budget adopted by Council.

(2) The Ballot Initiative, if passed by the voters, would not interfere with the proposed 2011 Capital Improvements Plan.

(3) County Council did not modify or adopt a Capital Improvements Plan or a Capital Program.

(4) There is no other defined Capital Program adopted in Northampton County.

(5) The record made by the Objector established, without any contradiction, that the sale of Gracedale would not be included or part of a Capital Plan.

(6) The Ballot Initiative, if passed by the voters, will not interfere with or abrogate any existing contractual obligations of Northampton County related to the Budget or a Capital Program.

Therefore, we conclude that the Ballot Initiative submitted by the Gracedale Initiative Petition Committee does not extend to the budget or capital program and therefore, it does not violate Section 1101(b) of the Northampton County Home Rule Charter. The determination by the Election Commission certifying the Ballot Initiative for submission to County Council was proper.

Wherefore, we enter the following Order:

ORDER

AND NOW, this 15th day of February, 2011, the Objections filed by the County Executive of Northampton County, John Stoffa, are DISMISSED.

**IN RE: PETITION FOR INITIATIVE TO PREVENT THE SALE
AND/OR LEASE OF GRACEDALE FILED WITH THE
NORTHAMPTON COUNTY ELECTIONS COMMISSION
JANUARY 18, 2011**

Attorney's Fees—Election Code—Costs—Unnecessary Hearing.

Court denied Petition Committee's Motion for Attorney's Fees. The Court incorporated the reasoning from its March 7, 2011 Order in Case No. 2011-755 to deny the motion. Additionally, the Court found a hearing on this motion was unnecessary because there was no evidence in the record supporting such an award.

In the Court of Common Pleas of Northampton County, Pennsylvania,
Civil Division—No. C-48-CV-2011-1095.

KARL LONGENBACH, ESQUIRE, Northampton County Solicitor.

MARK STEWART, ESQUIRE, Special Counsel to Northampton County.

LAWRENCE M. OTTER, ESQUIRE, for the Gracedale Initiative Petition Committee.

GARY ASTEAK, ESQUIRE and ALAINE WILLIAMS, ESQUIRE, for Intervenor Ellen Weiss.

Order of the Court entered on March 7, 2011 by BARATTA, J.

ORDER

AND NOW, this 7th day of March, 2011, upon consideration of the Gracedale Initiative Petition Committee's Motion for Attorney Fees and Costs, it is ORDERED that the Motion is DENIED.

STATEMENT OF REASONS

The reasoning of our March 7, 2011 Order in Case No. 2011-755 is incorporated into this Order in denying the Petition Committee's Motion for Attorney Fees and Costs.

Although this Court did not hold a hearing to address the Motion for Attorney Fees and Costs in this case, No. 2011-1095, we observed counsel for both parties at trial, note that the question litigated was a matter of first impression in this county, and the record does not reveal any improper conduct. Under these circumstances, it is unnecessary to hold a hearing on this Motion because there is no evidence supporting an award of attorneys' fees and costs, and we are satisfied such an award is not justified. *See ACE American Insurance Co. v. Underwriters at Lloyds and Companies*, 939 A.2d 935, 946 (Pa. Super. 2007). Therefore, the Motion is denied.

Northampton County Bar Association Notification of Change Form

To assist the NCBA Staff in maintaining up-to-date information on all attorneys and subscribers of the *Reporter*, would you please complete the form below and return it to the NCBA Office whenever you have a change and/or addition to your address, telephone number, fax number or e-mail address. *Return to:* Northampton County Bar Association, 155 South Ninth Street, Easton, PA 18042-4399, FAX: (610) 258-8715.

Please change the following:

NAME _____

ADDRESS _____

TELEPHONE _____ FAX _____

E-MAIL _____



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, June 20, 2011**