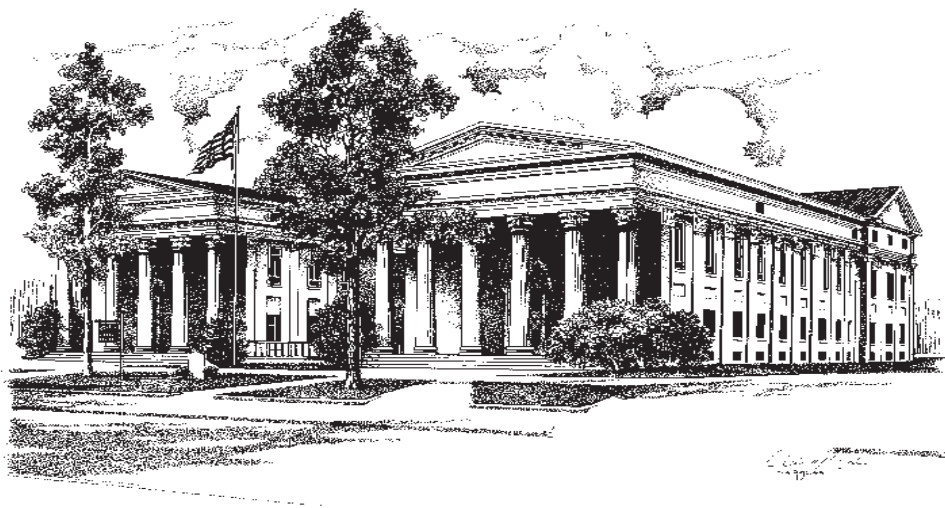


*Erie
County
Legal
Journal*

July 3, 2009

Vol. 92 No. 27

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Diaz v. Pennsylvania Financial Responsibility Assigned Claims Plan

Erie County Legal Journal

*Reporting Decisions of the Courts of Erie County
The Sixth Judicial District of Pennsylvania*

Managing Editor: Paula J. Gregory
Associate Editor: Heidi M. Weismiller

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Erie County Bar Association

Calendar of Events and Seminars

TUESDAY, JULY 7, 2009

Chapter 11 Fundamentals
 PBI Video Seminar
 Bayfront Convention Center
 9:00 a.m. - 1:30 p.m.
 \$119 (member) \$99 (admitted after 1/1/05)
 \$139 (nonmember)
 4 hours substantive

THURSDAY, JULY 9, 2009

Bad Faith Litigation
 PBI Groupcast Seminar
 Bayfront Convention Center
 9:00 a.m. - 1:15 p.m.
 \$224 (member) \$204 (admitted after 1/1/05)
 \$244 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee: \$199 (member) \$179 (admitted after 1/1/05) \$219 (nonmember)
 3 hours substantive / 1 hour ethics

WEDNESDAY, JULY 15, 2009

ECBA Young Lawyers Division
Victorian Princess Party Cruise
 6:00 p.m. - 7:30 p.m. Cruise (5:30 boarding)
Event is Free for ECBA Young Lawyers and their spouses/significant others

THURSDAY, JULY 16, 2009

Open Records Law & The Sunshine Act
 ECBA Live Seminar
 Bayfront Convention Center
 9:00 a.m. - 11:00 a.m.
 \$54 (ECBA member/staff)
 \$79 (nonmember)
 2 hours substantive

FRIDAY, JULY 17, 2009

Evaluating the DAL Case
 PBI Groupcast Seminar
 Bayfront Convention Center
 8:30 a.m. - 12:45 p.m.
 \$204 (member) \$184 (admitted after 1/1/05)
 \$224 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee: \$179 (member) \$159 (admitted after 1/1/05) \$199 (nonmember)
 4 hours substantive

TUESDAY, JULY 21, 2009

Current Issues for Child Advocates 2009
 PBI Video Seminar
 Bayfront Convention Center
 9:00 a.m. - 4:00 p.m. (Reg. 8:30 a.m.)
 \$129 (member) \$109 (admitted after 1/1/05)
 \$149 (nonmember)
 5 hours substantive / 1 hour ethics

TUESDAY, JULY 28, 2009

The Basics of Consumer Bankruptcy Practice
 PBI Video Seminar
 Bayfront Convention Center
 9:00 a.m. - 4:00 p.m. (Reg. 8:30 a.m.)
 \$129 (member) \$109 (admitted after 1/1/05)
 \$149 (nonmember)
 5 hours substantive / 1 hour ethics

WEDNESDAY, JULY 29, 2009

ECBA Annual Golf Tournament
 Lawrence Park Golf Club
 1:15 p.m. shotgun start
 \$115 members
 \$105 Young Lawyers

TUESDAY, AUGUST 4, 2009

Ethics Potpourri - Attorney Discipline in Pennsylvania
 PBI Video Seminar
 Bayfront Convention Center
 9:00 a.m. - 10:00 a.m. (Reg. 8:30 a.m.)
 \$39 (member) \$49 (nonmember)
 1 hour ethics

WEDNESDAY, AUGUST 5, 2009

Business Valuation and Divorce
 PBI Groupcast Seminar
 Bayfront Convention Center
 12:00 p.m. - 4:15 p.m. (Reg. 11:30 a.m.)
LUNCH INCLUDED
 \$224 (member) \$204 (admitted after 1/1/05)
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**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA**

JULY 2009 NOTICE

**In Re: SCHEDULING PROCEDURES
MOTION COURT DATES FOR THE HON. WARREN W. BENTZ**

SCHEDULING PROCEDURES EFFECTIVE FEBRUARY 3, 2003

JUDGE WARREN W. BENTZ, ERIE DIVISION CASES

Bankruptcy Courtroom
U.S. Courthouse
17 South Park Row, Erie, PA 16501

All motions and adversary proceedings are electronically filed with the Court. The Court will fix a hearing.

At the option of the movant, the following motions may be self-scheduled for hearing at the same time that the motion is filed:

Relief from stay	Chapter 13 Trustee's motion to dismiss (not
Lien avoidance	including a Chapter 13 Trustee's Certificate of
Objection to claims	Default Requesting Dismissal of Case)
Abandonment	Determination of secured status
Sale	Redemption

Chapter 7 and 11 Motions

Monday, July 6, 2009	1:30 PM and 2:30 PM
Monday, July 13, 2009	1:30 PM and 2:30 PM
Monday, July 20, 2009	1:30 PM and 2:30 PM
Monday, August 3, 2009	1:30 PM and 2:30 PM
Monday, August 10, 2009	1:30 PM and 2:30 PM
Monday, August 17, 2009	1:30 PM and 2:30 PM
Monday, August 31, 2009	1:30 PM and 2:30 PM
Tuesday, September 8, 2009	2:00 PM and 3:00 PM
Monday, September 14, 2009	1:30 PM and 2:30 PM
Tuesday, September 24, 2009 *	2:00 PM and 3:00 PM - Chapter 7 matters, only.

After September 14th, Chapter 11 matters will be scheduled by the Court.

Chapter 12 and 13 Motions

Friday, July 17, 2009	11:00 AM and 1:30 PM
Friday, August 21, 2009	11:00 AM and 1:30 PM
Friday, September 25, 2009 *	11:00 AM and 1:30 PM

* Judge Thomas Agresti will be hearing these motions.

ALL OF THE ABOVE DATES ARE SUBJECT TO REVISION. Please continue to check the Court's website for schedule changes.

PLEASE NOTE THAT THIS SCHEDULE IS AVAILABLE TO BE VIEWED ON PACER (Public Access to Court Electronic Records) and on our Court's Web Site (www.pawb.uscourts.gov). For more information, call the Clerk's office.

John J. Horner
Clerk, U.S. Bankruptcy Court

Jul. 3

**EVE DIAZ, Natural Mother and Guardian of
Minor Child TYDEUS DIAZ, Plaintiff**

v.

**PENNSYLVANIA FINANCIAL RESPONSIBILITY ASSIGNED
CLAIMS PLAN, Defendant**

PLEADINGS / PRELIMINARY OBJECTIONS

Preliminary Objections in the form of demurrers should be sustained when the facts averred are clearly insufficient to establish the pleaders right to relief. When taking into account a Motion for a Demurrer, the Trial Court must recognize as true "all well pleaded material facts set forth in the Complaint and all inferences barely deducible from those facts."

PLEADINGS / PRELIMINARY OBJECTIONS

Conclusions of law and unjustified inferences are not admitted by the pleadings and the Trial Court must resolve the intrinsic worth of the Preliminary Objections solely on the basis of the pleadings and not on testimony or evidence outside the Complaint.

*INSURANCE / AUTOMOBILE INSURANCE / ASSIGNED
CLAIMS PLAN*

The purpose of the Assigned Claims Plan is to provide benefits for those individuals injured in a motor vehicle accident who through no fault of their own have no other available source of insurance coverage.

INSURANCE / AUTOMOBILE INSURANCE

A person who suffers an injury arising out of the maintenance or use of a motor vehicle, if not an occupant of a motor vehicle, shall recover first party benefits from the policy on any motor vehicle involved in the accident.

INSURANCE / ASSIGNED CLAIMS PLAN

An uninsured, unauthorized driver of a rental car who is excluded from the vehicle's insurance coverage as a non-permissive user is not under any obligation to comply with the Pennsylvania Motor Vehicle Financial Responsibility Law, and is therefore not uninsured, rendering persons injured by his negligence ineligible for Uninsured Motorist benefits from the Assigned Claims Plan.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY,
PENNSYLVANIA CIVIL ACTION LAW NO. 13064-2008

Appearances: John M. Bonanti, Esquire, Attorney for Plaintiff
 Roger H. Taft, Esquire, Attorney for Defendant

OPINION AND ORDER

DiSantis, Ernest J. Jr., J.

This case comes before the Court on the Preliminary Objections of the defendant that were filed on December 12, 2008. Plaintiff filed a response on January 9, 2009 and argument was held on February 27, 2009.

I. BACKGROUND OF THE CASE

Eve Diaz, the natural mother and guardian of Tydeus Diaz, filed a complaint on Tydeus' behalf against the defendant seeking to recover benefits in the amount of \$15,000.00 under the Assigned Claims Plan provisions of the Pennsylvania Motor Vehicle Financial Responsibility Law, 75 Pa.C.S.A. §§ 1751-1757. The complaint relates to an alleged motor vehicle/bicycle collision that occurred on or about May 7, 2007 in the vicinity of the intersection of West 18th and Myrtle Streets in Erie, Pennsylvania. It is alleged that the child was riding his bicycle when he was struck by a car operated by Mario Henry and leased to Gwyneth Henry by Avis Rent-a-Car. The car was owned by PV Holding Corporation.

At the time of the incident, Ms. Diaz's insurance coverage on her motor vehicle (a 1994 Ford Taurus) had lapsed for non-payment of premiums. PV Holding Corporation is self-insured.

II. LEGAL DISCUSSION

Preliminary objections are governed by Pa.R.C.P. 1028. The rule provides that:

- (a) Preliminary objections may be filed by any party to any pleading and are limited to the following grounds:
 - (1) lack of jurisdiction over the subject matter of the action or the person of the defendant, improper venue or improper form or service of a writ of summons or a complaint;
 - (2) failure of a pleading to conform to law or rule of court or inclusion of scandalous or impertinent matter;
 - (3) insufficient specificity in a pleading;
 - (4) legal insufficiency of a pleading (demurrer);
 - (5) lack of capacity to sue, nonjoinder of a necessary party or misjoinder of a cause of action; and
 - (6) pendency of a prior action or agreement for alternative dispute resolution.

Generally, preliminary objections in the form of demurrers should be sustained when the facts averred are clearly insufficient to establish the pleader's right to relief. *HCB Contractors v. Liberty Palace Hotel Associates*, 652 A.2d 1278, 1279 (Pa. 1995). Moreover, when taking into account a motion for a demurrer, the trial court must recognize as true "all well-pleaded

material facts set forth in the complaint and all inferences fairly deducible from those facts." *Yocca v. Pittsburgh Steelers Sports, Inc.*, 854 A.2d 425, 436 (Pa. 2004) (quoting *Small v. Horn*, 722 A.2d 664, 668 (Pa. 1998)).

Additionally, "conclusions of law and unjustified inferences are not admitted by the pleadings," *Lobolito, Inc., v. North Pocono Sch. Dist.*, 755 A.2d 1287, 1289 n.2 (Pa. 2000), and the trial court must resolve the intrinsic worth "of the preliminary objections 'solely on the basis of the pleadings' and not on testimony or evidence outside the complaint." *Belser v. Rockwood Casualty Ins. Co.*, 791 A.2d 1216, 1219 (Pa. Super. 2002) (quoting *Williams v. Nationwide Mut. Ins. Co.*, 750 A.2d 881, 883 (Pa. Super. 2000)); see also *Texas Keystone, Inc., Pennsylvania Department of Conservation and Natural Resources*, 851 A.2d 228, 239 (Pa.Cmwlth. 2004). A demurrer confronts the pleadings insisting that under the cause of action, relief cannot "be granted *under any theory of law*." See *Regal Industrial Corp., v. Crum and Forster, Inc.*, 890 A.2d 395, 398 (Pa. Super. 2005); *Sutton v. Miller*, 592 A.2d 83, 87 (Pa. Super. 1991); see also *Prevish v. Northwest Med. Cir.*, 692 A.2d 192, 197 (Pa. Super. 1997) (citing *Chiropractic Nutritional Assoc., Inc. v. Empire Blue Cross and Blue Shield*, 669 A.2d 975, 984 (Pa. Super. 1995) ("...a dismissal of a cause of action should be sustained only in cases that are [so] 'clear and free from doubt' that the plaintiff [litigant] will be unable to prove legally sufficient facts to establish any right to relief.")).

In evaluating the preliminary objections, this Court must first determine whether the plaintiff is an eligible claimant under 75 Pa.C.S.A. § 1752 who is entitled to recover benefits under the Assigned Claims Plan provisions of the motor vehicle code. It states:

§ 1752. Eligible claimants

(a) General rule. - A person is eligible to recover benefits from the Assigned Claims Plan if the person meets the following requirements:

- (1) Is a resident of this Commonwealth.
- (2) Is injured as the result of a motor vehicle accident occurring in this Commonwealth.
- (3) Is not an owner of a motor vehicle required to be registered under Chapter 13 (relating to registration of vehicles).
- (4) Is not the operator or occupant of a motor vehicle owned by the Federal Government or any of its agencies, departments or authorities.
- (5) Is not the operator or occupant of a motor vehicle owned by a self-insurer or by an individual or entity who or which is immune from liability for, or is not required

to provide, benefits or uninsured and underinsured motorist coverage.

- (6) Is otherwise not entitled to receive any first party benefits under section 1711 (relating to required benefits) or 1712 (relating to availability of benefits) applicable to the injury arising from the accident.
- (7) Is not the operator or occupant of a recreational vehicle not intended for highway use, motorcycle, motor-driven cycle or motorized pedalcycle or other like type vehicle required to be registered under this title and involved in the accident.

75 Pa.C.S.A. § 1752(a)(1) - (7). In order to recover under the Assigned Claims Plan, a claimant must satisfy all seven elements. *Walker v. Fennell*, 672 A.2d 771, 772 (Pa. 1993).

Defendant claims that Eve Diaz is not an "eligible claimant" because she is the owner of a motor vehicle that is required to be registered in Pennsylvania and, therefore, fails to meet the requirements of 75 Pa.C.S.A. § 1752(a)(3). Defendant also argues that she is ineligible under § 1752(a)(6) because:

- (a) 75 Pa.C.S.A. § 1787(a)(1) mandates that a self-insurer, such as PV Holding Corporation, must provide first-party benefits required by 75 Pa.C.S.A. § 1711;
- (b) 75 Pa.C.S.A. § 1711(a) requires a first-party medical benefit in the amount of \$5,000.00;
- (c) under 75 Pa.C.S.A. § 1713(a)(4), a person who is not an occupant of a motor vehicle, such as Tydeus Diaz, and who is injured as a result of the maintenance or use of a motor vehicle is entitled to recover first-party benefits from the coverage provided on any motor vehicle involved in the accident;
- (d) PV Holding Corporation may not deny first-party medical benefits to Diaz based on the terms of a rental contract with Gwyneth Henry because such contract terms would violate the statutory requirement of 75 Pa.C.S.A. § 1787(a)(1) that a self-insurer must provide a first-party medical benefit in the amount of \$5,000.00 to a third party who is injured as a result of the maintenance and use of a self-insured rental car. *Gutman v. Worldwide. Ins. Co.*, 428 Pa. Super. 309, 313, 630 A.2d 1263, 1265 (1993) (self-insurer cannot use provisions in car rental contract to avoid statutory coverage requirements under Section 1787(a)); and

- (e) Diaz, therefore, does not meet the requirements of 75 Pa.C.S.A. § 1752(a)(6) because she is entitled to receive first-party medical benefits from PV Holding Corporation as a result of the May 7, 2007 motor vehicle accident.

Defendant's Preliminary Objections, 12/12/08, at ¶¶ 8 (a) - (e).

Defendant further argues that even if Eve Diaz is an eligible claimant (pursuant to § 1752), she is not entitled to recover "additional coverage benefits" for personal injury under § 1754 because the alleged tortfeasor (Mario Henry): (1) did not own a motor vehicle and had no obligation to provide liability insurance or self-insurance; and (2) did not fail to comply with the financial responsibility requirements of Pennsylvania law. *Id.* at ¶ 12. Defendant cites *Mangum v. Pennsylvania Financial Responsibility Assigned Claims Plan*, 672 A.2d 1324 (Pa. Super. 1996) in support. *Mangum* stands for the proposition that a person who seeks to recover from an Assigned Claims Plan must prove that there were no insurance policies from which s/he could recover first party benefits. *Id.* at 1327.

Continuing, it is alleged that PV Holding Corporation is self-insured. Therefore, 75 Pa.C.S.A. § 1787 applies. That statute states in part:

§ 1787. Self-insurance

- (a) **General rule.** - Self-insurance is effected by filing with the Department of Transportation, in satisfactory form, evidence that reliable financial arrangements, deposits, resources or commitments exist such as will satisfy the department that the self-insurer will:

- (1) Provide the benefits required by section 1711 (relating to required benefits), subject to the provisions of Subchapter B (relating to motor vehicle liability insurance first party benefits), except the additional benefits and limits provided in sections 1712 (relating to availability of benefits) and 1715 (relating to availability of adequate limits).

75 Pa.C.S.A. § 1787(a)(1).

Required benefits are mandated under Section 1711, which states:

§ 1711. Required benefits

- (a) **Medical benefit.** - An insurer issuing or delivering liability insurance policies covering any motor vehicle of the type required to be registered under this title, except recreational vehicles not intended for highway use, motorcycles, motor-drive cycles or motorized pedalcycles or like type vehicles, registered and operated in this Commonwealth, shall include

coverage providing a medical benefit in the amount of \$5,000.

75 Pa.C.S.A. § 1711(a).

The defendant states that § 1787(a)(1) requires that a self-insurer provide the first-party medical benefit required by § 1711(a) and that § 1713 creates a priority system to determine the source of first-party medical benefits. It concludes that under § 1713(a)(4), a non-insured, non-occupant of a motor vehicle (such as Tydeus Diaz) may recover for first-party medical benefits under § 1711 based on coverage provided for any vehicle involved in the accident. See 75 Pa.C.S.A. § 1713(a)(4). Therefore, under this logic, PV Holding Corporation, the owner and self-insurer of the rental car operated by Mario Henry at the time of the incident, is required to provide first-party medical benefits in the amount of \$5,000.00 under §§ 1787(a)(1) and 1711(a) of the statute.

Plaintiff counters that the focus should not be on Eve Diaz, but upon Tydeus Diaz, the minor. Plaintiff argues that the child did not own or operate a motor vehicle and was not required to maintain motor vehicle insurance. Plaintiff further argues that Mario Henry was an "impermissible driver" under the auto rental agreement to which Gwyneth Henry was a party. Plaintiff concludes that because neither the tortfeasor nor any other party had liability insurance to cover the loss, uninsured benefits are available under 75 Pa.C.S.A. § 1752.

In analyzing the situation, it is important to distinguish the roles of Eve Diaz and her son Tydeus. Ms. Diaz is involved in the lawsuit in her representative capacity of a minor. Tydeus Diaz is the real party in interest. Therefore, the relevant statutes must be analyzed assuming that premise.

The purpose of the Assigned Claims Plan is to provide benefits for those individuals injured in a motor vehicle accident, who through no fault of their own, have no other available source of insurance coverage. See, *Penn. Assigned Claims Plan v. English*, 664 A.2d 84, 86-87 (Pa. 1995); *Zeigler v. Constitution State Service*, 634 A.2d 261 (Pa. Super. 1993).

In determining whether Tydeus is an eligible claimant under § 1752, the Court notes the following: (1) he is a resident of the Commonwealth; (2) he was allegedly injured as a result of a motor vehicle accident occurring in the Commonwealth; (3) he is not an owner of a motor vehicle; (4) he was not the operator or occupant of a motor vehicle owned by the Federal Government; (5) he was not an operator or occupant of a motor vehicle owned by a self-insurer, or one immune from liability for, or is not required to provide benefits or uninsured or underinsured motorist coverage; and (6) he was not the operator or occupant of a recreational vehicle not intended for highway use, etc. The remaining question is whether he is entitled to first party benefits from any other source.

In Pennsylvania, rental car companies (such as Avis) are required

to provide liability insurance. See *Gutman v. Worldwide Ins. Co.*, 630 A.2d 1263, 1265 (Pa. Super. 1993). Furthermore, the owner of the motor vehicle, PV Holding Corporation was required to provide insurance. See 75 Pa.C.S.A. § 1711, *Gutman v. Worldwide Ins. Co.*, 630 A.2d 1263, 1265 (Pa. Super. 1993). It was self-insured.¹

Title 75 Pa.C.S.A. § 1787 requires that the self-insurer provide benefits mandated by § 1711 of the statute. Section 1711 mandates a minimum coverage of \$5,000.00 in medical benefits. Continuing, 75 Pa.C.S.A. § 1713 establishes the following priority system to determine the source of first-party benefits:

§ 1713. Source of benefits

(a) **General rule.** - Except as provided in section 1714 (relating to ineligible claimants), a person who suffers injury arising out of the maintenance or use of a motor vehicle shall recover first party benefits against applicable insurance coverage in the following order of priority:

- (1) For a named insured, the policy on which he is the named insured.
- (2) For an insured, the policy covering the insured.
- (3) For the occupants of an insured motor vehicle, the policy on that motor vehicle.
- (4) For a person who is not the occupant of a motor vehicle, the policy on any motor vehicle involved in the accident. For the purpose of this paragraph, a parked and unoccupied motor vehicle is not a motor vehicle involved in an accident unless it was parked so as to cause unreasonable risk of injury.

75 Pa.C.S.A. § 1713(a)(1) - (4).

Section (a)(4) is applicable. Under Subsection (a)(4), Tydeus Diaz is entitled to recover on the policy on any motor vehicle involved in the accident. Therefore, he must first look to Avis Rent-a-Car and PV Holding for first party benefits. Assuming Avis has a contractual defense that would allow it to avoid liability, PV Holding, which was not a party to the lease agreement, cannot avoid providing first party benefits. See, *Selected Risks Ins. Co. v. Thompson*, 552 A.2d 1382, 1388 (Pa. 1989). Given any event, the defendant is not required to provide first party benefits to him.

The plaintiff also seeks to recover (additional coverage) benefits for personal injury pursuant to 75 Pa.C.S.A. § 1754. That provision of the Motor Vehicle Code provides that:

¹ PV Holding Corporation was not a party to the lease agreement between Avis Rent-a-Car and Gwyneth Henry.

An eligible claimant who has no other source of applicable uninsured motorist coverage and is otherwise entitled to recover in an action in tort against a party who has failed to comply with this chapter [Chapter 17 - Pennsylvania Motor Vehicle Financial Responsibility Law] may recover for losses or damages suffered as a result of the injury up to \$15,000 subject to an aggregate limit for all claims arising out of any one motor vehicle accident of \$30,000. If a claimant recovers medical benefits under section 1753 (relating to benefits available), the amount of medical benefits recovered or recoverable up to \$5,000.00 shall be set off against any amounts recoverable in this section.

75 Pa.C.S.A. § 1754.

Here, the alleged tortfeasor (Mario Henry) was not under any obligation to comply with the Pennsylvania Motor Vehicle Financial Responsibility Law. Therefore, plaintiff is not an eligible claimant who can collect under § 1754.

III. CONCLUSION

Based upon the above, this Court will sustain the defendant's Preliminary Objections.

ORDER

AND NOW, this 17th day of March 2009, for the reasons set forth in the accompanying opinion, it is hereby ORDERED that the defendant's Preliminary Objections To Complaint are SUSTAINED and the complaint is DISMISSED WITH PREJUDICE.

BY THE COURT:

/s/ **ERNEST J. DiSANTIS, JR., JUDGE**

BANKRUPTCY NOTICE

IN THE UNITED STATES
BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF
PENNSYLVANIA

IN RE: GEORGE RANDOLPH
SIPPLE, Debtor

GARY V. SKIBA, TRUSTEE,
Plaintiff

v.

GEORGE RANDOLPH SIPPLE,
WENDY M. SIPPLE, and
ERIE COUNTY TAX CLAIM
BUREAU, Defendants

Bankruptcy No. 06-10452-WWB
CHAPTER NO. 7
ADV. PRO.

NOTICE OF NONEVIDENTIARY
HEARING ON MOTION TO
SELL PROPERTY

Gary V. Skiba, the trustee in this
bankruptcy matter, seeks an order
to sell vacant land with 4950 square
feet (40 ft. x 123.75 ft.) at 1144 Plum
Street with some chain link fencing
and gravel base. Property described
in Erie County Deed Book 1617 at

page 224 and bears Erie County Tax
Index No. 16-3041-120. Gross sale
price is \$15,000.00. The hearing
shall take place on July 20, 2009
at 2:30 p.m. before Judge Bentz in
the Bankruptcy Court Room, U.S.
Courthouse, 17 South Park Row,
Erie, PA 16501. The Court will
entertain higher offers at the hearing.
The gross sale price must be paid
promptly at the closing for this sale.
Examination of the property or
further information can be obtained
by contacting the trustee.

Gary V. Skiba, Esq.
456 West 6th Street
Erie, PA 16507
814/456-5318
Trustee

Jul. 3

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CHANGE OF NAME NOTICE

In the Court of Common Pleas for the County of Erie, Pennsylvania, No. 12769 - 2009. NOTICE IS HEREBY GIVEN that, on June 22, 2009, the Petition of Daneil Meadita, Jr. was filed in the above-named Court, requesting an order to change his name from Daneil Meadita, Jr. to Larry Daniel Meredith. The Court has fixed the 25th day of August, 2009 at 9:00 a.m., in court room F, of the Erie County Court House, Erie, Pennsylvania, as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause, if any they have, why the request of the Petitioner should not be granted.

Larry D. Meredith
1805 Prospect Avenue
Erie, Pennsylvania 16510

Jul. 3

FICTITIOUS NAME NOTICE

Pursuant to Act 295 of December 16, 1982 notice is hereby given of the intention to file with the Secretary of the Commonwealth of Pennsylvania a "Certificate of Carrying On or Conducting Business Under an Assumed of Fictitious Name." Said Certificate contains the following information:

FICTITIOUS NAME NOTICE

1. Fictitious Name: Amedisys Home Health
2. Address of the principal place of business: 5959 S. Sherwood Forest Blvd., Baton Rouge, LA 70816
3. Address of local operation: 3347 W. 12th Street, Erie, PA 16505-3725
4. The real names and addresses, including street and number, of the persons who are parties to the registration: Amedisys Pennsylvania, L.L.C., 5959 S. Sherwood Forest Blvd., Baton Rouge, LA 70816
5. An application for registration of a fictitious name under the Fictitious Names Act was filed on or about April 22, 2009.

Jul. 3

FICTITIOUS NAME NOTICE

1. Fictitious Name: Geometrics, Inc.
2. Address of the principal place of business: 2190 Fortune Drive, San Jose, CA 95131
3. The name and address of the party to the registration: Geometrics, Inc., 5078 Westbury Farms Dr., Erie, PA 16506
4. An application for registration of a fictitious name under the Fictitious Names Act was filed on or about May 29, 2009.

Jul. 5

FICTITIOUS NAME NOTICE

1. Fictitious Name: Lotus Games
2. Address of the principal place of business, including street and number: 3686 West Lake Road, Erie, PA 16505
3. The real names and addresses, including street and number, of the persons who are parties to the registration: Scott A. Grygier, 1109 Shenk Avenue, Erie, PA
4. An application for registration of a fictitious name under the Fictitious Names Act was filed on or about June 12, 2009.

Susmarski & Hain
Ronald J. Susmarski, Esq.
4030-36 West Lake Road
Erie, PA 16505

Jul. 3

SHERIFF SALES

Notice is hereby given that by virtue of sundry Writs of Execution, issued out of the Courts of Common Pleas of Erie County, Pennsylvania, and to me directed, the following described property will be sold at the Erie County Courthouse, Erie, Pennsylvania on

**July 17, 2009
at 10:00 AM**

All parties in interest and claimants are further notified that a schedule of distribution will be on file in the Sheriff's Office no later than 30 days after the date of sale of any property sold hereunder, and distribution of the proceeds made 10 days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

All bidders are notified prior to bidding that they **MUST** possess a cashier's or certified check in the amount of their highest bid or have a letter from their lending institution guaranteeing that funds in the amount of the bid are immediately available. If the money is not paid immediately after the property is struck off, it will be put up again and sold, and the purchaser held responsible for any loss, and in no case will a deed be delivered until money is paid.

Bob Merski

Sheriff of Erie County

Jun. 26 and Jul. 3, 10

SALE NO. 1

Ex. #14658 of 2008

Marquette Savings Bank

v.

Vladimir Solop, d/b/a Solop Development Corp.

SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 14658-2008, Marquette Savings Bank vs. Vladimir Solop, d/b/a Solop Development Corp., owner of property situate in Summit Township, Erie County, Pennsylvania being: Solop Development Corp., 2440 Glory Drive, Lot 14, Waterford, Pennsylvania 16441.

90' x 185'

Assessment Map Number:
(40) 16-72-43.21

Assessed Value Figure: \$22,200.00 (land only)

Improvement Thereon: Dwelling house and lot

Donald F. Fessler, Jr., Esq.
Marsh Spaeder Baur Spaeder & Shaaf, LLP
Suite 300, 300 State Street
Erie, Pennsylvania 16507
(814) 456-5301

Jun. 26 and Jul. 3, 10

SALE NO. 2

Ex. #15095 of 2008

National City Bank of Pennsylvania, Plaintiff

v.

Robert N. Michel III

Dawn L. Michel, Defendant(s)

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Union, County of Erie, and State of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at the northwest corner hereof at a point in the center of Concord Road leading to Union City; running thence south twelve (12) degrees west one hundred thirty (130) perches; thence north eighty-eight (88) degrees west eighty-four (84) perches; thence south two (2) degrees west twenty-five (25) perches; thence south eighty-eight (88) degrees east one hundred seventy-seven (177) perches to the west edge of Hungry Run Road; thence along said road north two (2) degrees east one hundred twelve (112) perches to a point on the west side of said road; thence north sixty five (65) degrees west ten (10) perches; thence North two (2) degrees east seventeen (17) perches to the center of Concord Road aforesaid; and thence along the center of said Concord Road north sixty (60) degrees west eighty-two (82) perches to the point or place of beginning, containing 100.46875 acres.

EXCEPTING AND RESERVING therefrom all that certain piece or parcel of land situate in the Township of Union, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at a point in

the center of Concord Road at the northeast corner of Lloyd Reynolds' land; thence south twelve (12) degrees west two hundred fifty (250) feet to a post; thence south sixty (60) degrees east two hundred twelve (212) feet to a post; thence north twelve (12) degrees east two hundred fifty (250) feet to the center of Concord Road; and thence along the center of Concord Road north sixty (60) degrees west two hundred (200) feet to the point or place of beginning, containing 1.18 acres, more or less, and having erected thereon a wooden frame dwelling.

EXCEPTING AND RESERVING from the foregoing described land such interest as may be possessed by the Pennsylvania Electric Company, its successors and assigns, under a right of way agreement dated January 18, 1932, and recorded in Contract Book 13 at Page 387.

EXCEPTING AND RESERVING all that property conveyed in Erie County Deed Book 1509 at Page 238.

EXCEPTING AND RESERVING all that property conveyed in Erie County Record Book 161 at page 1301.

ALSO, EXCEPTING therefrom all that certain piece or parcel of land situate in the Township of Union, County of Erie and State of Pennsylvania, being part of Tract 154 and G bounded and described as follows, to-wit: BEGINNING at a spike in the centerline of Concord Road at the northeast corner of the parcel herein described, said point being N 63° 44' 00" W, 197.59 feet from a spike at the intersection of the centerlines of Concord Road and Hungry Run Road; THENCE N 63° 44' 00" W, along the centerline of Concord Road, Six Hundred Thirty-four and Fifty-seven Hundredths (634.57) feet to a spike; THENCE S 7° 00' 00" W, along the east line of land now or formerly of Bradley J. Hubbell, and passing by a rebar at 26.48 feet, Five Hundred Six and Ten Hundredths (506.10) feet to a point; THENCE N 83° 00' 00" W, continuing along said land, Seven Hundred Twenty (720) feet to an iron survey pin in the east line of

land now or formerly of Lloyd R. and Marcia A. Reynolds; THENCE S 7° 00' 00" W along said east line of said land; Six Hundred Thirty-two and Seventeen Hundredths (632.17) feet to an iron survey pin; THENCE S 00° 00' 00" W, continuing along said land, Four hundred (400) feet to an iron survey pin; THENCE S 90° 00' 00" E, passing over an iron survey pin at 1,582.25 feet, One Thousand Six Hundred Seven and Thirty-one Hundredths (1,607.31) feet to the centerline of Hungry Run Road; THENCE N 00° 12' 00" W, along said centerline, Seven Hundred Sixty-four and Thirty-two Hundredths (764.32) feet to a point; THENCE N 67° 12' 00" W, passing over an iron survey pin at 27.16 feet, One Hundred Ninety-two and Sixteen Hundredths (192.16) feet to an iron survey pin; THENCE N 00° 12' 00" W, along the west line of land now or formerly of David B. Mickle and passing over an iron survey pin at 175.86 feet. Two Hundred Three and Seventy-nine Hundredths (203.79) feet to the point of beginning and containing 36.888 acres of land net measure. THE ABOVE described property is also subject to the following Driveway Easement, described as follows: BEGINNING at a point in the centerline of Hungry Run Road, said point being S 00° 12' 00" E 165.18' from SE Corner Parcel "A" THENCE S 85° 31' 00" E, Along the centerline of a 20 foot Driveway Easement, 296.40' to a point of curve; THENCE along a curve to the left having a radius of 200 feet an arc distance of 155.55 feet to a point of tangency; THENCE S 61° 22' 50" W, along said centerline, 149.38 feet to a point of curve; THENCE along a curve to the right having a radius of 250 feet an arc distance of 164.68 feet to a point of tangency; THENCE S 80° 52' 40" W, continuing along said centerline, 99.16 feet to a point of curve; THENCE along a curve to the right having a radius of 120 feet an arc distance of 100.44 feet to a point of tangency; THENCE N 32° 55' 10" W, continuing along said centerline, 96.06 feet to a point of curve;

THENCE along a curve to the left having a radius of 500 feet an arc distance of 52.28 feet to the south line of Parcel "A", being the end of the 20 ft. Driveway Easement. BEING more commonly known as 18400 Hungry Run Road, Union City, PA 16438. BEING KNOWN AS: 18400 HUNGRY RUN ROAD, UNION CITY, PA 16438 PROPERTY ID NO. : 43-16-50-7 TITLE TO SAID PREMISES IS VESTED IN Robert N. Michel, III and Dawn L. Michel, his wife by deed from Robert N. Michel, III and Dawn L. Michel, his wife, and Jeffrey S. Ferringer and Elizabeth J. Ferringer, his wife dated 10/18/99 recorded 10/18/99 in Deed Book 668 Page 1465. Uden Law Offices, P.C. Attorneys for Plaintiff Woodcrest Corporate Center 11 Woodcrest Road, Suite 200 Cherry Hill, NJ 08003-3620 856-669-5400

Jun. 26 and Jul. 3, 10

SALE NO. 3

Ex. #10950 of 2009
The Huntington National Bank,
Successor by merger to Sky
Bank, Plaintiff,
 v.
Christopher J. Kavanagh,
Defendant

LONG FORM DESCRIPTION

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to wit: COMMENCING in the south line of Eighteenth Street fifty-eight (58) feet West of the West line of Poplar Street; thence South, parallel with Poplar Street, one hundred twenty-four (124) feet to an alley; thence West, parallel with Eighteenth Street two (2) feet; thence North, parallel to Poplar Street, one hundred twenty-four (124) feet to Eighteenth Street; then East, by South line of Eighteenth Street, two (2) feet to the place of beginning. ALSO, all that certain piece and parcel of land situate in the City of Erie, County of Erie and

Commonwealth of Pennsylvania, bounded and described as follows, to wit: BEGINNING at a point in the south line of West Eighteenth Street, twenty-six (26) feet westwardly from the west line of Poplar Street; thence southwardly, parallel with Poplar Street, one hundred twenty-four (124) feet to an alley; thence westwardly parallel with Eighteenth Street, thirty-two (32) feet to a point; thence northwardly, parallel with Poplar Street, one hundred twenty-four (124) feet to the South line of Eighteenth Street; and thence eastwardly, along the South line of Eighteenth Street, thirty-two (32) feet to the place of beginning. Said premises are commonly known as 705 West 18th Street, Erie, Pennsylvania 16502 and further identified as Erie County Tax Index No. (19) 6020-205. BEING the same premises Michael H. Lafferty and Theresa M. Lafferty, his wife by Deed dated September 27, 2004 and recorded in the Office of the Recorder of Deeds of Erie County on September 29, 2004 in Deed Book Volume 1177, Page 1325, granted and conveyed unto Christopher J. Kavanagh. Grenen & Birsic, P.C. Daniel J. Birsic, Esquire Attorneys for Plaintiff One Gateway Center, Ninth Floor Pittsburgh, PA 15222 (412) 281-7650

Jun. 26 and Jul. 3, 10

SALE NO. 4

Ex. #12099 of 2007
American Home Mortgage
Servicing, Inc., Plaintiff
 v.
Lynn M. Scheffner, Defendant
LONG FORM DESCRIPTION

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie, State of Pennsylvania, being part of Lots Nos. Twenty-nine (29) and Thirty (30) of the Rossi Addition, as per plot thereof recorded in Erie County Map Book No. 2, pages 82, 83, bounded and described as follows, to wit: Beginning at a point in the south line of Thirtieth Street, one

hundred thirty-eight and eighty-two hundredths (138.82) feet eastwardly from the east line of Caldwell Road, now known as Elmwood Avenue; thence southwardly parallel with Elmwood Avenue, seventy-five (75) feet; thence westwardly parallel with Thirtieth Street, thirty-eight (38) feet; thence northwardly parallel with Elmwood Avenue, seventy-five (75) feet to the south line of Thirtieth Street; thence eastwardly along the south line of Thirtieth Street, thirty-eight (38) feet to the place of beginning.

Said premises having erected thereon a two-story frame dwelling and cement block garage, known as 1217 West Thirtieth Street, Erie, Pennsylvania and bearing Erie County Tax Index No. (19) 6221-205.

Subject to all restrictions, easements, right of ways, building lines, leases, and/or gas leases of record and to all easements and right of ways visible and discoverable upon an inspection of the premises.

BEING the same premises which William E. Lindsey and Frances A. Lindsey, by Deed dated April 8, 2005 and recorded in the Office of the Recorder of Deeds of Erie County on April 15, 2005, in Deed Book 1225, Page 2002, granted and conveyed unto Lynn M. Scheffner.

Tax ID #19-6221-205

Grenen & Birsic, P.C.

Joseph A. Fidler, Esquire

Attorneys for Plaintiff

One Gateway Center, Ninth Floor

Pittsburgh, PA 15222

(412) 281-7650

Jun. 26 and Jul. 3, 10

SALE NO. 6

Ex. #10992 of 2009

**Northwest Savings Bank,
Plaintiff**

v.

**Word of Life Christian Center
International, a Pennsylvania
Corporation, Defendant
LEGAL DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania,

being lots Nos. 67, 68 and the northern 10 feet of Lot No. 69 in Block No. 14 of the Hess Addition to the City of Erie as recorded in the Office of the Recorder of Deeds for Erie County, Pennsylvania, in Map Book 1, Page 81 and being more fully described as follows, to-wit:

BEGINNING at the point of intersection of the south line of Lynn Street (formerly Elliott Street) with the west line of Hess Avenue; thence westwardly and along the south of Lynn Street, one hundred twenty (120) feet to a point; thence southwardly and parallel with the west line of Hess Avenue, eighty (80) feet to a point; thence eastwardly and parallel with the south line of Lynn Street, one hundred twenty (120) feet to a point in the west line of Hess Avenue; thence northwardly and along the west line of Hess Avenue, eighty (80) feet to the place of beginning.

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

BEGINNING at point in the west line of Hess Avenue, eighty (80) feet northwardly from the point of intersection of the north line of Seventh Street with the West line of Hess Avenue, thence westwardly parallel with the north line of Seventh Street, one hundred twenty (120) feet to a point; thence northwardly parallel with the west line of Hess Avenue, sixty (60) feet to a point; thence eastwardly parallel with the north line of Seventh Street one hundred twenty (120) feet to the west line of Hess Avenue, sixty (60) feet to a point; thence southwardly along the west line of Hess Avenue, sixty (60) feet to the place of beginning. Being commonly known as 660 Hess Avenue, Erie, Pennsylvania and bearing Erie County Index No. (14) 1042-203.

BEING the same premises conveyed to Word of Life Christian Center International by Deed dated September 1, 2006 and recorded on September 1, 2006 in the Office of the Recorder of Deeds in and for

Erie County, Pennsylvania at Deed Book 1357, Page 2389.

Knox McLaughlin Gornall & Sennett, P.C.

Mark G. Claypool, Esquire
PA ID No. 63199

120 West Tenth Street

Erie, Pennsylvania 16501-1461

(814) 459-2800

Jun. 26 and Jul. 3, 10

SALE NO. 7

Ex. #14540 of 2008

**Wells Fargo Bank, NA as Trustee
under Pooling and Servicing
Agreement dated as of January 1,
2004 Merrill Lynch Mortgage
Investors Trust Mortgage Loan
Asset-Backed Certificates, Series
2004-WMC1**

v.

Tiffany T. Martin

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14540-08 Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of January 1, 2004 Merrill Lynch Mortgage Investors Trust Mortgage Loan Asset-Backed Certificates, Series 2004-WMC1 vs. Tiffany T. Martin, owners of property situated in City of Erie, Erie County, Pennsylvania being 1118 West 6th Street, Erie, PA 16507

Assessment Map number:
17-4035-132

Assessed Value figure: \$63,798.00
Improvement thereon: Residential Dwelling

Mary L. Harbert-Bell, Esquire
220 Lake Drive East, Suite 301

Cherry Hill, NJ 08002

(856) 482-1400

Jun. 26 and Jul. 3, 10

SALE NO. 8

Ex. #13168 of 2008

**FNB Consumer Discount Co.,
Plaintiff**

v.

**Rosalind Myers and
Donald E. Morton, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2008-13168 FNB Consumer Discount Co. vs. Rosalind Myers and Donald E. Morton.

Rosalind Myers and Donald E.

Morton, owner(s) of property situated in the City of Erie, Erie County, Pennsylvania being 2521 Wayne Street, Erie, PA 16503
 25 x 125 feet
 Assessment Map number: 18-5035-124
 Assessed Value figure: 29170
 Improvement thereon: house
 Nathaniel I. Holland
 201 Chestnut St., Ste 201
 Meadville, PA 16335
 814-336-6400

Jun. 26 and Jul. 3, 10

SALE NO. 9

Ex. #10718 of 2009
Branch Banking and Trust Company
 v.

Paula G. Geary

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10718-2009 Branch Banking and Trust Company v. Paula G. Geary, Owner of property situated in Washington Township, Erie County, Pennsylvania being 5850 Gibson Hill Road, Edinboro, PA 16412
 Lot 53.70 X 108.65
 Assessment Map number: 45-33-78-5
 Assessed Value figure: 206,100.00
 Improvement thereon: single family dwelling and detached frame garage
 Robert S. Bernstein, Esquire
 Bernstein Law Firm, P.C.
 Suite 2200 Gulf Tower
 Pittsburgh, PA 15219
 (412) 456-8100

Jun. 26 and Jul. 3, 10

SALE NO. 10

Ex. #10004 of 2009
Deutsche Bank National Trust Company, as trustee under NovaStar Mortgage Funding Trust Series 2006-5, by Saxon Mortgage Services
 v.

Frank A. Kartesz, II
LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, being part of Tract Number Two

Hundred Twenty (220), bounded and described as follows, to wit: BEGINNING at a point in the North line of Lake Forest Drive, two hundred and thirty (230) feet Eastwardly from the West line of Kraus Drive; thence Northwardly parallel with Kraus Drive, one hundred and forty (140) feet to the Bank of Lake Erie; thence Eastwardly, along the Bank of Lake Erie, one hundred (100) feet to a point; thence Southwardly parallel with Kraus Drive, one hundred and sixty (160) feet to the North line of Lake Forest Drive; and thence westwardly along the North line of Lake Forest Drive, one hundred (100) feet to the place of beginning. SAID premises have been erected thereon a dwelling commonly known as 6420 Lake Forest Drive, Erie, Pennsylvania, and being further identified by Erie County Assessment Index Number (27) 19-8-90.

ALSO, ALL THAT CERTAIN piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at a point in the north line of Lake Forest Drive, two hundred thirty (230) feet eastwardly from the west line of Kraus Drive; thence northwardly parallel with Kraus Drive, one hundred sixty (160) feet to the Bank of Lake Erie; thence westwardly along the Bank of Lake Erie, ten (10) feet to a point; thence southwardly parallel with Kraus Drive, one hundred sixty (160) feet to the north line of Lake Forest Drive; thence eastwardly along the north line of Lake Forest Drive, ten (10) feet to the place of beginning.

Said second parties are hereby assigned all of the right, title and interest of the first parties to use in common with John A. Kraus, et ux, and lessees and heirs and assigns to the roadway as is now used, being known as Kraus Drive, running from the Lake Road in a Northwesterly direction to the Beach of Lake Erie, also Lake Forest Drive, which runs easterly and westerly from Kraus

Drive, for the purpose of ingress and egress to and from said land and said lake to be kept free and clear from all obstruction at all times. The easement referred to above is specifically set forth in the Deed recorded in Erie County Deed Book kept free and clear from all obstruction at all times. The easement referred to above is specifically set forth in the Deed recorded in Erie County Deed Book 283, at page 56.

TOGETHER WITH all mineral, oil & gas well rights. THIS DEED is taken under and subject to easements, restrictions and rights of way of record and/or those that are visible to a physical inspection.

PARTIES of the first part have no actual knowledge of any hazardous waste, as defined in Act No. 1980-97 of the Commonwealth of Pennsylvania, having been or presently being disposed of on or about the property described in this deed.

BEING the same premises which Helen W. Miodus, widow and unremarried, by Deed dated April 22, 2004, and recorded April 22, 2004, in Book 1127, Page 1432, granted and conveyed unto Frank A. Kartesz, II and Stephanie A. Kartesz, husband and wife, as tenants by the entirety with right of survivorship to the entirety in the survivor thereof, in fee. Premises: 6420 Lake Forrest Drive, Erie, PA 16511.

Attorney for Plaintiff:
 Steven K. Eisenberg, Esquire
 Stern and Eisenberg, LLP
 The Pavilion
 261 Old York Road, Suite 410
 Jenkintown, PA 19046

Jun. 26 and Jul. 3, 10

SALE NO. 11

Ex. #10266 of 2009
First National Bank of Pennsylvania, successor in interest to The National Bank of North East, Plaintiff
 v.

Clinton B. Keller and Ellen S. Keller, Defendants
SHORT DESCRIPTION

ALL THAT CERTAIN piece or parcel of land located in the Township of Harborcreek, County of Erie, and Commonwealth of Pennsylvania located at 990 Highmeyer Road, Harborcreek, Pennsylvania 16421 and identified as Erie County Tax Parcel No. (27) 21-32-19.

Having erected thereon a two-story single family dwelling, with detached garage and pole barn.

Susan Fuhrer Reiter
Pa. Supreme Court ID No. 43581
MacDonald, Illig, Jones & Britton, LLP

100 State Street, Suite 700
Erie, Pennsylvania 16507-1459
(814) 870-7760

Jun. 26 and Jul. 3, 10

SALE NO. 12

Ex. #18044 of 2008

HSBC Bank USA, National Association, as Trustee for Wells Fargo Asset Securities Corporation Home Equity Asset-Backed Certificates Series 2006-3, Plaintiff,

v.

Mark Anders

Molly Anders, Defendant(s)

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 18044-08 HSBC Bank USA, National Association, as Trustee for Wells Fargo Asset Securities Corporation Home Equity Asset-Backed Certificates Series 2006-3 v. Mark Anders and Molly Anders, owner(s) of property situated in Millcreek Township, Erie County, Pennsylvania being 428 Zephyr Street a/k/a 428 Zephyr Avenue, Erie, PA 16505-1557.

Dimensions: 50 X 125
Assessment Map number: 33-004-002-0-038-00

Assessed Value figure: 111,800.00

Improvement thereon: residential
Daniel G. Schmiege, Esquire
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 13

Ex. #11813 of 2008

US Bank National Association, as Trustee for Asset-Backed Pass-Through Certificates, Series 2006-NC2, Plaintiff,

v.

**Charles R. Arkwright
Rachael A. Arkwright,
Defendant(s)**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 11813-08 US Bank National Association, as Trustee for Asset-Backed Pass-Through Certificates, Series 2006-NC2 vs. Charles R. Arkwright and Rachael A. Arkwright
Charles R. Arkwright and Rachael A. Arkwright, owner(s) of property situated in Washington Township, Erie County, Pennsylvania being 11060 Edinboro Road & 11070 Edinboro Road, McKean, PA 16426.

Dimensions:

11070 Edinboro Road- 98 X 259 IRR
11060 Edinboro Road- 54 X 259

Acreage:

11070 Edinboro Road- 0.7885
11060 Edinboro Road- 0.3211

Assessment Map number:

11070 Edinboro Road- 45001002002200
11060 Edinboro Road- 45001002002300

Assessed Value figure:

11070 Edinboro Road- \$23,500.00
11060 Edinboro Road- \$25,500.00

Improvement thereon: Residential
Daniel G. Schmiege, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 14

Ex. #10367 of 2009

PHH Mortgage Corporation, f/k/a Cendant Mortgage Corporation, Plaintiff,

v.

Ronald J. Burick

Janine M. Burick, Defendant(s)

LEGAL DESCRIPTION

ALL THAT certain piece or parcel of land situate in the Township of

Harborcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows to-wit:

BEING Lot No. 17 of the A. C. Hadberg Subdivision per a replot of said Subdivision as recorded January 3, 1959 in Erie County Map Book 6, page 3. Said lot bearing Erie County Index Number (27) 035-134-013. Being known as 2172 Timber Lane, Erie, PA.

BEING a part of the same premises as conveyed unto the Grantors herein by Deed of Robert R. Gindlesperger and Ruth L. Gindlesperger, his wife, dated and recorded October 28, 1994, in Erie County Record Book 360, page 1217.

SUBJECT to restrictions on Hadberg Subdivision as recorded on May 9, 1987, in Erie County Record Book 9, page 0881, and Record Book 0035, page 2045, recorded December 7, 1987, and as amended.

TITLE TO SAID PREMISES IS VESTED IN Ronald J. Burick and Janine M. Burick, h/w, as tenants by the entireties with the right of survivorship in the survivor thereof, by Deed from Todd P. Swanson and Deborah L. Swanson, h/w, dated 12/20/2001, recorded 12/28/2004 in Book 1200, Page 108.

Tax parcel #: 27-035-134-0-013-00
Premises being: 2172 TIMBER LAND, HARBORCREEK, PA 16421-1635

Daniel G. Schmiege, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 15

Ex. #11075 of 2009

Lehman Brothers Bank, FSB, Plaintiff,

v.

Ella L. Crockett a/k/a

Ella L. Crockett, Defendant(s)

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 11075-09 Lehman Brothers Bank, FSB vs. Ella L. Crockett a/k/a Ella L. Crockett

Ella L. Crockett, a/k/a Ella L. Crocket, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 236 Maryland Avenue, Erie, PA 16505-2220.
 Dimensions: 50 X 153
 ACREAGE: 0.1756
 Assessment Map number: 17-041-030.0-129.00
 Assessed Value figure: \$102,780.00
 Improvement thereon: residential
 Daniel G. Schmieg, Esquire
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 16

Ex. #14540 of 2006
PHH Mortgage Corporation,
f/k/a Cendant Mortgage Corporation

v.

Christopher R. Dann
SHORT DESCRIPTION

By Virtue of a Writ of Execution No. 14540-06 PHH Mortgage Corporation, f/k/a Cendant Mortgage Corporation vs. Christopher R. Dann, Owners of property situate in the Township of Conneaut, County of Erie, Pennsylvania, being 10690 Whittaker Road, Albion, PA 16401 Improvements thereon: Residential Dwelling
 Daniel G. Schmieg, Esquire
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 17

Ex. #13856 of 2008
Wells Fargo Bank, NA, Plaintiff,
 v.

Ramzia M. El-Annan a/k/a
Ramzia El-Annan, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13856-08 Wells Fargo Bank, NA, vs. Ramzia M. El-Annan a/k/a Ramzia El-Annan
 Ramzia M. El-Annan a/k/a Ramzia El-Annan owner(s) of property

situated in City of Erie, Erie County, Pennsylvania being 1520 West 24th Street, Erie, PA 16502-2211
 Dimensions: 44x135
 Acreage 0.1364
 Assessment Map number: 19-062-047.0-129.00
 Assessed Value figure: 57,530.00
 Improvement thereon: residential
 Daniel G. Schmieg, Esquire
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 18

Ex. #15968 of 2008
Chase Home Finance LLC,
Plaintiff,
 v.

Hillary J. Fogerty, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 15968-08 Chase Home Finance LLC vs. Hillary J. Fogerty Hillary J. Fogerty owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 934 West 9th Street, Erie, PA 16502-1129.

Dimensions: 41.25 X 165
 Acreage: 0.1553
 Assessment Map number: 16-030-047.0-234.00
 Assessed Value figure: 86,540.00
 Improvement thereon: residential
 Daniel G. Schmieg, Esquire
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 19

Ex. #10918 of 2009
Deutsche Bank National Trust Company as Trustee for Soundview Home Loan Trust 2006-3, Plaintiff,
 v.

Charles Foht, Jr., Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 1 0918-09 Deutsche Bank National Trust Company as Trustee for Soundview Home Loan

Trust 2006-3 vs. Charles Foht, Jr. Charles Foht, Jr., owner(s) of property situated in First Ward of the City of Erie, Erie County, Pennsylvania being 1041 East 5th Street, Erie, PA 16507-1864.
 Dimensions: 26 X 120.5
 ACREAGE: 0.0719
 Assessment Map number: 14-010-036.0-106.00
 Assessed Value figure: 32,410.00
 Improvement thereon: residential
 Daniel G. Schmieg, Esquire
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 20

Ex. #10057 of 2008
U.S. Bank National Association,
as Trustee for SG Mortgage Securities Asset Backed Certificates, Series 2006-FRE2
 v.

Frank J. Gresh, Jr.
Melinda M. Gresh
SHORT DESCRIPTION

By virtue of a Writ of Execution No.: 10057-08 U.S. Bank National Association, as Trustee for SG Mortgage Securities Asset Backed Certificates, Series 2006-FRE2 vs. Frank J. Gresh, Jr. and Melinda M. Gresh, owners of property situate in the Township of Fairview, County of Erie and State of Pennsylvania, being 7121 Water Street, Fairview, PA 16415
 Parcel No. 21-064-117.0-002.00
 Improvements thereon: Residential Dwelling
 Daniel G. Schmieg, Esquire
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 21

Ex. #18014 of 2008
First Horizon Home Loans, a Division of First Tennessee Bank National Association, Plaintiff,
 v.
Jason R. Harned, Defendant(s)

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 2008-18014 First Horizon Home Loans, a Division of First Tennessee Bank National Association, vs. Jason R. Harned Jason R. Harned, owner(s) of property situated in Millcreek Township, Erie County, Pennsylvania being 2640 West 24th Street, Erie, PA 16506-3004. Dimensions: 80 X 135.14 0.2482 ACRES
 Assessment Map number: 33-051-198.0-016-00
 Assessed Value figure: 79,230.00
 Improvement thereon: residential Daniel G. Schmiege, Esquire One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 22

Ex. #10852 of 2009
Citimortgage, Inc. s/b/m to ABN AMRO Mortgage Group, Inc., Plaintiff,
 v.

Scott W. Lobaugh

Lisa A. Lobaugh, Defendant(s)

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Township of McKean, County of Erie and Commonwealth of Pennsylvania and being Lot No. 6 of DEER RUN SUBDIVISION, part of Tract 18, according to a plot of DEER RUN SUBDIVISION as recorded in Erie County Map Book 1998-99 on April 6, 1998 as amended and recorded on the Replot of DEER RUN SUBDIVISION in Erie County Map Book 1998-310 on September 2, 1998 and bearing Erie County Tax Index No. (31) 15-59-6.13.

This deed is taken under and subject to Declaration of Easement as recorded in Erie County Record Book 664, Page 190, Also, under and subject to Declaration of Restrictions for Deer Run Subdivision as recorded in Record Book 751 Page 484 and/or those that are visible to a physical

inspection.
 TITLE TO SAID PREMISES IS VESTED IN Scott W. Lobaugh and Lisa M. Lobaugh, h/w, as tenants by the entireties with right of survivorship, by Deed from Dorothy J. Zimmer and Henry M. Zimmer, Jr., her husband, dated 08/23/2002, recorded 08/27/2002 in Book 914, Page 510.

Tax Parcel #: 31-015-059.0-006.13
 Premises being: 10071 AUBURY ROAD, WATERFORD, PA 16441-2729
 Daniel G. Schmiege, Esquire One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 23

Ex. #14984 of 2008
Countrywide Home Loan, Inc. v.

John A. Malachi

SHORT DESCRIPTION

By virtue of a Writ of Execution No. 14984-08 Countrywide Home Loans, Inc. vs. John A. Malachi, owners of property situated in the City of Erie, County of Erie, Pennsylvania, being 1202 East 20th Street, Erie, PA 16503-2408
 Parcel No.: 15021006021900
 Improvements thereon: Residential Dwelling
 Daniel G. Schmiege, Esquire One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 24

Ex. #18078 of 2008
Wells Fargo Bank, N.A., Plaintiff, v.

James I. Maphis, Defendant(s)

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 18078-08 Wells Fargo Bank, N.A. vs. James I. Maphis James I. Maphis, owner(s) of property situated in the Township of Millcreek, Erie County, Pennsylvania being 6004 Larch

Drive, Fairview, PA 16415-3252. Dimensions 90 X 120.07
 Acreage: 0.2479
 Assessment Map number: 33-133-572.0-203.00
 Assessed Value figure: 186,860.00
 Improvement thereon: residential Daniel G. Schmiege, Esquire One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 25

Ex. #10369 of 2009
PHH Mortgage Corporation f/k/a Cendant Mortgage Corporation, Plaintiff,

v.

Donald A. Marinucci
Laura A. Collins a/k/a
Laura A. Marinucci,
Defendant(s)

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania being Lots 31 and 32 of Perry Highlands Subdivision according to the plat of the same as recorded in Erie County Map Book 3, at pages 45. Having erected thereon a one-story frame dwelling house and garage known as 405 Dumar Road, Erie, Pennsylvania and bearing Erie County Tax Index Number (33) 146-499-17.

Subject to all restrictions, easements, rights-of-way, building lines, leases and oil and gas leases of record and to all easements and rights-of-way visible and discoverable upon an inspection of the premises.

TITLE TO SAID PREMISES IS VESTED IN Donald A. Marinucci and Laura A. Collins, as tenants in common with right of survivorship, by Deed from John A. Pacileo, II and Cynthia L. Pacileo, his wife, dated 06/24/2004, recorded 06/29/2004 in Book 1150, Page 410.

Tax Parcel #: 33-146-499-0-017-00
 Premises being: 405 DUMAR ROAD, ERIE, PA 16509-3216
 Daniel G. Schmiege, Esquire One Penn Center at Suburban

Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO 26
Ex. #10696 of 2009
Countrywide Home Loans
Servicing LP, Plaintiff,
v.

Graham S. Mashner
Karen A. Schelinski, Defendant(s)
LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the First Ward of the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at the point of intersection of the east line of Reed Street with the south line of Fourth Street; thence east along the south line of East Fourth Street, ninety (90) feet to a point; thence south parallel with Reed Street, thirty-one (31) feet to a point; thence west parallel with East Fourth Street, ninety (90) feet to a point in the east line of Reed Street; thence north along the east line of Reed Street, thirty-one (31) feet to the place of beginning; being a two-family frame flat and two-car frame garage and being known as 401-403 Reed Street, and bearing City Index No. (14) 1023-209. Being the same premises conveyed to Gentle R. Cooley, Jr., single, by deed dated and recorded March 21, 1996 in Erie County Record Book 429, page 1269. Also see Record Book 749, page 366.

TITLE TO SAID PREMISES IS VESTED IN Graham S. Mashner and Karen A. Schelinski, as joint tenants with the right of survivorship in the survivor thereof, by Deed from Gentle R. Cooley, Jr. and Andrea Cooley, his wife, dated 02/28/2001, recorded 03/01/2001 in Book 0755, Page 2161.

Tax Parcel #: 14-010.023.0-209.00
Premises being: 401/403 REED STREET, ERIE, PA 16507-0000
Daniel G. Schmiege, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814
(215) 563-7000
Jun. 26 and Jul. 3, 10

SALE NO. 27
Ex. #10430 of 2009
Citimortgage, Inc., s/b/m to
Principal Residential Mortgage,
Inc., Plaintiff,
v.

William E. McGill
Trina M. McGill, a/k/a
Trina L. McGill, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10430-09 Citimortgage, Inc., s/b/m to Principal Residential Mortgage, Inc. vs. William E. McGill and Trina M. McGill, a/k/a Trina L. McGill

William E. McGill and Trina M. McGill, a/k/a Trina L. McGill, owner(s) of property situated in Township of Harborcreek, Erie County, Pennsylvania being 2212 Nagle Road, Erie, PA 16510-2134.
Dimensions: 86.6 X 150
Acreage: 0.2982

Assessment Map number: 27-051-151.0-026.00
Assessed Value figure: 78,730.00
Improvement thereon: residential

Daniel G. Schmiege, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 28
Ex. #14964 of 2008
PHH Mortgage Corporation,
f/k/a Cendant Mortgage
Corporation, Plaintiff,
v.

Roger G. Murphy, Defendants(s)
SHERIFF'S SALE
By virtue of a Writ of Execution filed to No. 14964-2008, PHH Mortgage Corporation, f/k/a Cendant Mortgage Corporation vs. Roger G. Murphy

Roger G. Murphy, owner(s) of property situated in the Fifth Ward of Erie County, Pennsylvania being 2011 Fairmount Parkway, Erie, PA 16510-1203.
Dimensions: 118 X 165

Acreage: 0.4470
Assessment Map number: 18-051-031.0-415.00
Assessed Value figure: \$ 55,750.00
Improvement thereon: residential
Daniel G. Schmiege, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 29
Ex. #10364 of 2009
Wells Fargo Financial
Pennsylvania, Inc., Plaintiff,
v.

Tim R. Robertson
Paula Jean Robertson,
Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10364-09 Wells Fargo Financial Pennsylvania, Inc. vs. Tim R. Robertson and Paula Jean Robertson

Tim R. Robertson and Paula Jean Robertson, owner(s) of property situated in Township of Fairview, Erie County, Pennsylvania being 6638 West Ridge Road, Fairview, PA 16415-2032.
Dimensions: 100 X 300 IRR 0.6876

Assessment Map number: 21-052-074.0-028.01
Assessed Value figure: \$103,350.00
Improvement thereon: residential

Daniel G. Schmiege, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 30
Ex. #10765 of 2009
The Huntington National Bank,
s/b/m Sky Bank, Plaintiff,
v.

Roberta L. Rodriguez,
Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10765-09 The Huntington National Bank, s/b/m Sky Bank vs. Roberta L. Rodriguez
Roberta L. Rodriguez, owner(s) of

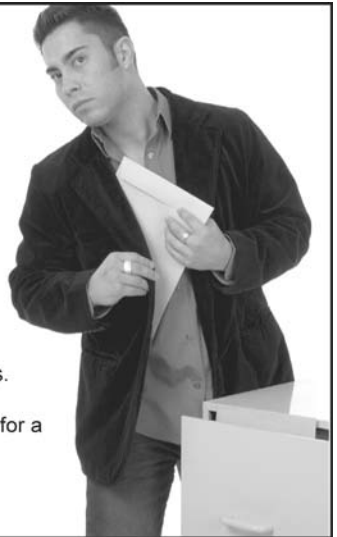
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property situated in City of Erie, Erie County, Pennsylvania being 1023 McCarter Avenue, Erie, PA 16503-1536.

Dimensions: 40 x 70
 ACREAGE: 0.0643
 Assessment Map number: 14-010-035.0-109.00
 Assessed Value figure: \$26,700.00
 Improvement thereon: Residential
 Andrew L. Spivack, Esquire
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard
 Philadelphia, PA 19103-1814
 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 31

Ex. #10162 of 2009
Taylor, Bean & Whitaker
Mortgage Corporation, Plaintiff,
v.

Theresa A. Speice, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10162-09 Taylor, Bean & Whitaker Mortgage Corporation vs. Theresa A. Speice
 Theresa A. Speice, owner(s) of property situated in Erie, Erie County, Pennsylvania being 2219 Prospect Avenue, Erie, PA 16510-1359.

Dimensions: 80 x 120
 ACREAGE: 0.2204
 Assessment Map number: 18-051-034.0-214-00
 Assessed Value figure: \$57,660.00
 Improvement thereon: Residential
 Daniel G. Schmieg, Esquire
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard
 Philadelphia, PA 19103-1814
 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 32

Ex. # 10759 of 2008
PHH Mortgage Corporation,
f/k/a Cendant Mortgage
Corporation, d/b/a, PHH
Mortgage Services, Plaintiff,
v.

Todd A. Thoma
Cara A. Thoma, Defendant(s)
LEGAL DESCRIPTION

ALL that certain piece or parcel

of land situate in the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania, more fully bounded and described as follows, to-wit:

Lot #74 of the Southland Village Subdivision - Phase III as per subdivision recorded in Erie County as Map No. 1998-23 on the 20th day of January, 1998.

SAID premises commonly known as 6036 Courtland Drive, Erie, Pennsylvania 16509.

ERIE COUNTY TAX ASSESSMENT NO. (33) 192-628.4-21.

BEING the same premises conveyed to the parties of the first part herein by Deed dated February 3, 2003 and recorded February 18, 2003 in Erie County Record Book 977 at page 834.

TITLE TO SAID PREMISES IS VESTED IN Todd A. Thoma and Cara A. Thoma, h/w, as tenants by the entireties with the right of survivorship, by Deed from Theresa Paterniti and Charles J. Paterniti, w/h, dated 07/18/2003, recorded 07/23/2003, in Deed Book 1039, page 1763.

Premises being: 6036 COURTLAND DRIVE, ERIE, PA 16509
 Daniel G. Schmieg, Esquire
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard
 Philadelphia, PA 19103-1814
 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 33

Ex. #14995 of 2008
Northwest Savings Bank,
Plaintiff,
v.

Brenda M. Weaver, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14995-08 Northwest Savings Bank vs. Brenda M. Weaver
 Brenda M. Weaver, owner(s) of property situated in Township of Springfield, Erie County, Pennsylvania being 11868 Main Street, East Springfield, PA 16411.

Dimensions: 52.8 X 105.6
 Acreage: 0.1280

Assessment Map number: 39-041-012-0-012-00
 Assessed Value figure: 61,300.00
 Improvement thereon: residential
 Daniel G. Schmieg, Esquire
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard
 Philadelphia, PA 19103-1814
 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 34

Ex. #10921 of 2009
HSBC Bank, USA as Trustee for
MANA 2007-F1, Plaintiff,

v.
Amy B. Weber a/k/a
Amy B. Lowes
Frederick M. Weber,
Defendant(s)

LEGAL DESCRIPTION

ALL THAT certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit:

The residue of land on the east side of Wales Road as identified on a map recorded with the Erie County Recorder of Deeds on August 19, 1999 at Map Book 1999, page 264 consisting of 53.225 acres more or less and the residue of land on the west side of Wales Road consisting of .687 acres more or less.

For the information purpose only the APN is shown by the Assessor is 27-077-238.0-009.00; source of the title is Book 1038; Page 2112; Recorded (07/21/03)

TITLE TO SAID PREMISES IS VESTED IN Amy B. Lowes, nbm, Amy B. Weber and Frederick M. Weber, h/w, by Deed from Amy B. Lowes, nbm, Amy B. Weber and Frederick M. Weber, h/w, dated 05/16/2003, recorded 07/21/2003 in Book 1038, Page 2112.

Tax Parcel #: 27-077-238.0-009.00
 Premises being: 5680 WALES ROAD, ERIE, PA 16510-5733
 Daniel G. Schmieg, Esquire
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard
 Philadelphia, PA 19103-1814
 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 35
Ex. #10987 of 2009
First Horizon Home Loan Corporation, a Division of First Tennessee Bank National Association, Plaintiff,
 v.

Robert P. Weschler, Defendant(s)
LEGAL DESCRIPTION

All that certain property situate in the Township of Millcreek, County of Erie, and State of Pennsylvania, the following described Unit (as that term is defined by the Act of the General Assembly of Pennsylvania of July 3, 1963, P.L. 196, (68 P.S. 700.101 et seq.) known as the Unit Property Act (the 'Act') or Units in HERITAGE HILLS CONDOMINIUM No. 2 identified in a certain Declaration and Declaration Plan in HERITAGE HILLS CONDOMINIUM NO. 2, HERITAGE HILLS DEVELOPMENT, INC., both dated June 24, 1977, made by Heritage Hills pursuant to the provisions of the Act, said Declaration with Exhibits, including the Code of Regulations being recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania, on June 27, 1977, in Deed Book 1269 at page 93, et seq. and said Declaration Plan being recorded in said office in Map Book 15 at page 35, et seq. pursuant to the provisions of the Act:

Proportionate Undivided Percentage of Interest in Unit or Units Common Elements
 Unit 5035 8.3%
 and being further identified as 5035 Cider Mill Road, Erie, Pennsylvania, 16509, and having Index No. (33) 114- 494-27.56. Together with all appurtenances.

SUBJECT to utility easements of record, the provisions of the Act, the abovementioned Declaration and Declaration Plan, including the Code of Regulations recorded as Exhibit 'B' to said Declarations, all provisions thereof including restrictions and easements contained therein, and the Declaration of Covenants and Restrictions recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania,

on June 27, 1977, in Deed Book 1269 page 135, et seq., all as now existent and as amended or modified hereafter. The documents referred to herein shall be Covenants running with the land.

TITLE TO SAID PREMISES IS VESTED IN Robert P. Weschler, unmarried, by Deed from Ruth M. Frontz, now Ruth M. Frontz-Bredhorn, married, but individually, dated 06/26/1990, recorded 07/03/1990 in Book 128, Page 1427.

TITLE TO SAID PREMISES IS VESTED IN Robert P. Weschler, unmarried, by Deed from Wilbur F. Bredhorn, husband of Ruth M. Fronz Bredhorn of Arlington Heights, dated 06/28/1990, recorded 07/03/1990 in Book 128, Page 1435.

Note: This is a quit claim deed.
 Tax Parcel #: 33-114-494.0-027.56
 Premises being: 5035 CIDER MILL ROAD UNIT 5035, ERIE, PA 16509-3918
 Daniel G. Schmiege, Esquire
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard
 Philadelphia, PA 19103-1814
 (215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 36
Ex. #13237 of 2008
Lasalle Bank National Association as Trustee for Merrill Lynch First Franklin Mortgage Loan Trust 2007-4, Mortgage Loan Asset-Backed Certificates, Series 2007-4, Plaintiff,
 v.

Daniel J. Youngs, Defendant(s)
LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Township or Harborcreek, County of Erie and State of Pennsylvania, being known as Lot Number Forty-two (42) of the CAREY FARM SUBDIVISION, according to a plot or plan of the same recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania, in Map Book No. 3, at page 103, reference to said plan being made for a further description of said property; said lot having

a frontage of fifty (50) feet, and a depth of one hundred twenty (120) feet, together with the right to use the beach in front of said subdivision, also the use of all roads.

The within conveyance is given under and subject to the restrictions contained in Deeds from Mary E. Carey, widow, to Jennie A. Stenstrom, recorded in the Recorder's Office of Erie County, Pennsylvania, in Deed Book 317, Page 236, and Deed Book 317, Page 179.

ALSO, All that certain piece or parcel of land situate in Harborcreek Township, County of Erie and State of Pennsylvania, being known as Lot No. 43 of the 'Carey Farm' subdivision, according to plot or plan recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania in Map Book 3 at page 103, reference to said plan being made for further description of said property together with the right to use the beach in front of said subdivision, also the use of all roads except as hereinafter stated in said subdivision in common with other owners of lots in said subdivision, together with all the rights and privileges, and subject however to all the conditions, embodied in deed from Mary E. Carey, widow, to Violet Mack, widow and single, dated June 14, 1927 recorded in the Recorder's Office of Erie County, Pennsylvania in Deed Book 328, Page 455.

ALSO, All that other certain piece or parcel of land situate in Harborcreek Township, Erie County, Pennsylvania being the northerly one half of Lot No. 44 of the 'Carey Farms' subdivision, according to a plot or plan recorded in the office of the Recorder of Deeds in Erie County, Pennsylvania, in Map Book No. 3 at page 103, reference to said plan being made for further description of said property, together with the right to use the beach, roads, etc., and also subject to the conditions and restrictions contained in the deed from Mary E. Carey to Charence T. Comstock et ux, dated August 3, 1927 and from Clarence T. Comstock et ux dated

June 13, 1928 and recorded in Erie County Deed Book 286 at page 783 in the Recorder's Office of Erie County, Pennsylvania. The premises herein conveyed being the northerly one-half of the northerly twenty-five feet of the Lot No. 44 conveyed by said deed.

Also together with all of the right, title and interest of the Grantor herein, in and to a certain easement reserved for the supply of water as set forth in a certain deed of conveyance from Violet A. Mack to Edward L. Mack and Judith A. Mack his wife, dated June 22, 1979 and recorded June 22, 1979 in Erie County Deed Book 1353, page 343. Having erected thereon a frame dwelling being commonly known as 56 Carey Farms Road, Erie, Pennsylvania 16511, and bearing Erie County Tax Index Number (27) 024-013.0-0-010.00 (formerly identified as Erie County Tax Index Number (27) 24-15-3).

Premises being: 56 CAREY FARMS ROAD, ERIE, PA 16511-1607
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Jun. 26 and Jul. 3, 10

SALE NO. 37

Ex. #10737-09

**U.S. Bank National Association
Trustee for the Pennsylvania
Housing Finance Agency,
Plaintiff**

v.

**Kevin J. Fox and
Deanna L. Fox f/k/a
Deanna L. Capron, Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution No. 10737-09 U.S. Bank National Association Trustee for the Pennsylvania Housing Finance Agency, Plaintiff vs. Kevin J. Fox and Deanna L. Fox f/k/a Deanna L. Capron, Defendants

Real Estate: 517 LIBERTY STREET, CORRY, PA
Municipality: City of Corry, Erie County, Pennsylvania
Dimensions: Irregular

See Deed Book 703, Page 1445
Tax I.D. (5) 21-104.1-7
Assessment: \$ 5,000. (Land)
\$29,200. (Bldg)

Improvement thereon: a residential dwelling house as identified above
Leon P. Haller, Esquire
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17104
(717) 234-4178

Jun. 26 and Jul. 3, 10

SALE NO. 38

Ex. #11057 of 2009

**U.S. Bank National Association
Trustee for the Pennsylvania
Housing Finance Agency,
Plaintiff**

v.

**Rachel N. Kimmy, Defendants
SHERIFF'S SALE**

By virtue of a Writ of Execution No. 11057-09 U.S. Bank National Association Trustee for the Pennsylvania Housing Finance Agency, Plaintiff vs. Rachel N. Kimmy, Defendants
Real Estate: 916 WEST 17TH STREET, ERIE, PA
Municipality: City of Erie, Erie County, Pennsylvania
Dimensions: 132' 6" x 30'

See Deed Book 1405, Page 1601
Tax I.D. (16) 3043-231
Assessment: \$ 6,000. (Land)
\$39,500. (Bldg)

Improvement thereon: a residential dwelling house as identified above
Leon P. Haller, Esquire
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17104
(717) 234-4178

Jun. 26 and Jul. 3, 10

SALE NO. 39

Ex. #13374 of 2008

**U.S. Bank National Association
Trustee for the Pennsylvania
Housing Finance Agency,
Plaintiff**

v.

**Charles Adam Knapp,
Defendants
SHERIFF'S SALE**

By virtue of a Writ of Execution No. 13374-08 U.S. Bank National Association Trustee for the

Pennsylvania Housing Finance Agency, Plaintiff vs. Charles Adam Knapp, Defendants
Real Estate: 2426 CRANBERRY STREET, ERIE, PA
Municipality: City of Erie, Erie County, Pennsylvania
Dimensions: 106 x 35
See Deed Book 1302, Page 844
Tax I.D. (19) 6202-106
Assessment: \$ 8,800. (Land)
\$37,380. (Bldg)

Improvement thereon: a residential dwelling house as identified above
Leon P. Haller, Esquire
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17104
(717) 234-4178

Jun. 26 and Jul. 3, 10

SALE NO. 40

Ex. #11260 of 2009

**U.S. Bank National Association,
(Trustee for the Pennsylvania
Housing Finance Agency,
pursuant to a Trust Indenture
dated as of April 1, 1982),
Plaintiff,**

v.

**Daniel L. Harmon, Jr., Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11260-09, U.S. Bank National Association, et al vs. Daniel L. Harmon, Jr., owner(s) of property situated in the Sixth Ward, Erie City, Erie County, Pennsylvania being 2517 Poplar Street, Erie, PA 16502.

Dimensions: 35 X Irregular for square footage and .11 acreage
Assessment Map Number: (19) 6019-117

Assess Value figure: \$51,760.00
Improvement thereon: Dwelling
Louis P. Vitti, Esquire
Attorney for Plaintiff
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

Jun. 26 and Jul. 3, 10

SALE NO. 41

Ex. #10813 of 2009

**U.S. Bank National Association
(Trustee for the Pennsylvania
Housing Finance Agency,
pursuant to a Trust Indenture**

**dated as of April 1, 1982),
assignee of Pennsylvania Housing
Finance Agency, assignee of
Countrywide Home Loans, Inc.,
Plaintiff,**

v.

**John E. Tingley and
Melissa Y. Tingley, Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10813-09, U.S. Bank National Association, et al vs. John E. Tingley and Melissa Y. Tingley, owner(s) of property situated in Erie City, Erie County, Pennsylvania being 4114 Davison Avenue, Erie, PA 16504.

Dimensions: .8 acres and 7,656 square footage

Assessment Map Number: (18) 5220-109

Assess Value figure: \$60,170.00

Improvement thereon: Dwelling

Louis P. Vitti, Esquire

Attorney for Plaintiff

916 Fifth Avenue

Pittsburgh, PA 15219

(412) 281-1725

Jun. 26 and Jul. 3, 10

SALE NO. 42

Ex. #10498 of 2009

**Wells Fargo Bank, N.A. as
Trustee for the MLMI Trust
Series 2005-SD1, Plaintiff**

v.

**Melinda M. Howe a/k/a
Melinda Howe, Defendant**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10498-09 Wells Fargo Bank, N.A. as Trustee for the MLMI Trust Series 2005-SD1 v. Melinda M. Howe a/k/a Melinda Howe, Owner(s) of property situated in Township of Millcreek, Erie County, Pennsylvania, being 3207 West 38th Street, Erie, PA 16506 Building A Unit 2 Condominium.

ALL THAT CERTAIN piece or parcel of land situate in the Township of Millcreek, County of Erie and State of Pennsylvania, the following described Unit [as that term is defined by the Act of the General Assembly of Pennsylvania of July 2, 1980, P.L. 82 (68 P.S. 3101 et seq.) known as the Pennsylvania Uniform Condominium Act (the

"Act")] or Units in Cedar Loft Condominium identified in a certain Declaration and Plats and Plans for Cedar Loft Condominium, made pursuant to the provisions of the Act, said Declaration with Exhibits being recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania of December 19, 1983 in Deed Book 1519, at page 480, et seq., and said Plats and Plans being recorded in said Office in Deed Book 1519, at page 501, et seq., pursuant to the provisions of the Act, together with the undivided Fractional Interest in the common Elements as set forth in said Declaration.

Assessment Map number: (33) 83-409-651

Assessed Value figure: \$73,900.00

Improvement thereon: Residential Dwelling

Martha E. Von Rosenstiel, Esquire

649 South Avenue, Unit #6

P.O. Box 822

Secane, PA 19018

(610) 328-2887

Jun. 26 and Jul. 3, 10

SALE NO. 43

Ex. #12241 of 2004

**Mortgage Electronic Registration
Systems, Inc.**

v.

**William H. Hicks and
Carrie L. Hicks**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 12241-04 Mortgage Electron Registration Systems, Inc. vs. William H. Hicks and Carrie L. Hicks, owners of property situated in Borough of Mill Village, Erie County, Pennsylvania being 2140 West Center Street, Mill Village, PA 16427

Assessment Map number: (34) 3-2-8

Assessed Value figure: \$79,500.00

Improvement thereon: Residential Dwelling

Mary L. Harbert-Bell, Esquire

220 Lake Drive East, Suite 301

Cherry Hill, NJ 08002

(856) 482-1400

Jun. 26 and Jul. 3, 10

SALE NO. 44

Ex. #10915 of 2009

**Deutsche Bank National Trust
Company, as Trustee for Long
Beach Mortgage Loan Trust
2004-5, Plaintiff**

v.

Christine A. Firster, Defendant(s)

DESCRIPTION

ALL that certain piece or parcel of land being a part of Tract No. 196, situated in Harborceek Township, Erie County, Pennsylvania bounded and described as follows, to-wit:

BEGINNING at a point of intersection of the East line of land conveyed to Scanley Gadlinski, et ux., by Deed recorded in the Office of the Recorder of Deeds for Erie County, in Deed Book 548, page 486, with the centerline of Challis Road; thence Easterly along the centerline of Challis Road, one hundred ten (110) feet, more or less, to the West side of a 29 1/2 foot private driveway leading from Challis Road North to the property of Lewis A. Urmann et ux., and Nilton Ellsworth, et ux.; thence Northwardly along the west side of said driveway, six hundred (600) feet to an iron pin; thence Westerly on a line parallel with the centerline of Challis Road, one hundred ten (110) feet, more or less to an iron pipe at the Northeast corner of the Gadlinski lot and thence Southwardly on a line parallel with the West line of the 29 1/2 foot private driveway, six hundred (600) feet to the center of the Challis Road and the place of beginning.

There is EXCEPTED AND RESERVED from this conveyance the following described parcel of land:

ALL that certain piece or parcel of land situated in the Township of Harborceek, Erie County, Pennsylvania, being a part of Tract No. 196, bounded and described as follows:

BEGINNING at a point in the center of the Challis Road approximately one hundred ten (110) feet East of the point of intersection of the West property line of land now owned or previously owned by Donald R. Harvey; thence Northwardly

along the West side of 29 ½ foot private roadway and the East side of land now owned or previously owned by Donald R. Harvey six hundred (600) feet, said 29 ½ foot roadway leading Northwardly from the Challis Road to the land now under Contract of sale to Lester A. and Ethel V. Carlson, said roadway also leading to the land recently sold by Lewis A. Urmann, et ux., to Milton and Katherine A. Ellsworth, which said point is the starting point for this description; thence Westerly one hundred ten (110) feet along the North line of land conveyed by Lewis A. Urmann, et ux., to Donald R. Harvey by Deed dated July 14, 1950; thence Southerly along the East line of land of Stanley Gadlinski, et ux., three hundred (300) feet to a point; thence Easterly on a line parallel with the North line hereof to the West line of the aforesaid 29 ½ foot private roadway, one hundred ten (110) feet; thence Northerly along the West line of the aforesaid 29 ½ foot private roadway, three hundred (300) feet to the point of beginning. RESERVING herefrom 6 ½ feet along the East side hereof which 6 ½ feet to be used in conjunction with the 29 ½ foot roadway above mentioned, it being the intention of Lester A. and Ethel V. Carlson, Milton and Katherine A. Ellsworth and Donald R. Harvey that the private roadway herein mentioned shall be broadened to thirty-six (36) feet and shall be used and maintained by all the properties fronting thereon.

This conveyance is subject to the provisions of a Driveway Agreement recorded in Erie County contract Book 36, page 353. Being the same property conveyed to Delbert R. Shaffer, also known as Delbert L. Shaffer and Margaret L. Shaffer, his wife, by deed recorded on November 1, 1976 in Erie County Deed Book 1242 page 299. ID# 27-36-126-39
Parcel # 27036126003900
PROPERTY ADDRESS: 7189 Belle Road, Harborcreek, PA 16421
Michael T. McKeever, Esquire
Attorney for Plaintiff

Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106 (215) 627-1322

Jun. 26 and Jul. 3, 10

SALE NO. 45

Ex. #15378 of 2008

The Bank of New York Trust Company, N.A. as Successor to JPMorgan Chase Bank N.A. as Trustee s/b/m to Bank One, N.A. as Trustee s/b/m to The First National Bank of Chicago as Trustee, Plaintiff

v.

Diane M. Morschhauser, Defendant

DESCRIPTION

Situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to wit: Being Lot No. Thirty (30) of Garden Heights Subdivision No. One (1) Part of Tract No. Fifty-Eight (58) as shown upon a plot of said subdivision recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania in Map Book 4, Page 250 and 251. Having erected thereon a one story frame dwelling known as 3815 English Avenue, Erie, Pennsylvania 16510, and bearing Index No. (18) 5246-109.

Subject to all restrictions, rights-of-way, building lines, leases and oil and gas leases of record and to all easements and rights-of-way visible and discoverable upon an inspection of the premises.

Property Address: 3815 English Avenue, Erie, PA 16510

Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106-1532 (215) 627-1322

Jun. 26, and July 3, 10

SALE NO. 46

Ex. #10609 of 2009

Countrywide Home Loans Servicing, L.P., Plaintiff

v.

William Seth Moss, Defendant(s)

DESCRIPTION

ALL that certain piece or parcel

of land situate in the Township of Union, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit:

COMMENCING at an iron pin located in the westerly line of O'Neil Road; said pin also being situate at the southerly corner of land formerly of Cornelius O'Neil, now Joseph Boleratz; thence South 30 degrees East along the westerly line of O'Neil Road, 270 feet to an iron pin; thence South 80 degrees 3 minutes 1 seconds West along the northerly line of land of Gerald Elliot, Grantor herein, 820.99 feet to an iron pin; thence North 30 degrees West, still along land of Elliott, 270 feet to an iron pin in the southerly line of land Boleratz aforementioned; and thence North 80 degrees 3 minutes 1 seconds East along the southerly line of land of said Boleratz, 820.99 feet to an iron pin, the place of beginning. Containing 5.000 acres of land according to a survey made by Terry A. Darnofall on August 8, 1986, and having erected thereon a frame dwelling and garage and being designated as Parcel No. 1 of Elliot Subdivision No.1 and recorded in Erie County Map Book 31 at page 89, on April 8, 1987, and being a part of the same land conveyed to Gerald J. Elliott by deed dated April 18, 1978 and recorded in Erie County Deed Book 1301 at page 489 on April 19, 1978. EXCEPTING and reserving unto party of the first part, his heirs and assigns, all oil, gas and minerals in and under the above described land. EXCEPTING and reserving unto Gerald J. Elliott, his heir and assigns a certain fifty (50) foot right-of-way along the northerly portion of the land herein described extending westerly 820.99 feet from the westerly line of O'Neil Road to other lands of Gerald J. Elliott, Grantor herein Said right-of-way to be used for the purposes of ingress, egress and regress.

PROPERTY ADDRESS: 17490 Oneil Road, Union City, PA 16438
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence

Center, 701 Market Street
Philadelphia, PA 19106
(215) 627-1322

Jun. 26 and Jul. 3, 10

SALE NO. 47

Ex. #15161 of 2008

**Citimortgage Inc., s/b/m to
Source One Mortgage Services
Corporation, Plaintiff**

v.

Margaret A. Ryan-States a/k/a

Margaret Ryan

David M. States a/k/a

David States, Defendant(s)

DESCRIPTION

ALL that certain piece or parcel of land situate in the Borough of Wesleyville, County of Erie and State of Pennsylvania, being Lot Number Fifty-seven (57) of the Wesleyville Subdivision, as subdivided by the Security Savings and Trust Company, according to the plan of plot recorded in the Recorder's Office of Erie County in Map Book No. 1, at page 419, and more fully bounded and described as follows, to-wit:

BEGINNING at a point in the east line of Union Avenue, three hundred and sixty (360) feet south of the point of intersection of the east line of Union Avenue with the south line of Edison Avenue; thence southwardly along the east line of Union Avenue forty (40) feet to a point in the north line of Lot Number fifty six (56), thence eastwardly along the north line of Lot Number fifty-six (56) and parallel with Edison Avenue, one hundred and twenty (120) feet; thence northwardly along the west line of Lot Number one hundred and eighteen (118) and parallel with Union Avenue, forty (40) feet to a point in the south line of Lot Number fifty-eight (58); thence westwardly along the south line of Lot Number fifty-eight (58) and parallel with Edison Avenue, one hundred and twenty (120) feet and a point in the east line of Union Avenue, the place of beginning. Having erected thereon a two story brick and frame house commonly known as 223 Union Avenue, Wesleyville, Pennsylvania.

PROPERTY ADDRESS: 2237

Union Avenue, Erie, PA 16510
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence
Center, 701 Market Street
Philadelphia, PA 19106
(215) 627-1322

Jun. 26 and Jul. 3, 10

SALE NO. 49

Ex. #10802 of 2009

**Deutsche Bank National Trust
Company, as Trustee for
Soundview Home Loan Trust
2005-2, Plaintiff**

v.

Karen H. Shor, Defendant(s)

DESCRIPTION

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: Beginning at a point in the east line of Maryland Avenue, forty-four and three tenths (44.3) feet south of the south line of Sixth Street; thence eastwardly parallel with Sixth Street, one hundred twenty (120) feet; thence southwardly parallel with Maryland Avenue, thirty-nine and seven tenths (39.7) feet; thence westwardly parallel with Sixth Street, one hundred twenty (120) feet to the east line of Maryland Avenue; thence northwardly along the east line of Maryland Avenue, thirty-nine and seven tenths (39.7) feet to the place of beginning. Said premises having erected thereon a dwelling commonly known as 607 Maryland Avenue, Erie, Pennsylvania. Bearing Erie County Assessment Index No. (17) 4128-203.

PROPERTY ADDRESS: 607
Maryland Avenue, Erie, PA 16505
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence
Center, 701 Market Street
Philadelphia, PA 19106
(215) 627-1322

Jun. 26 and Jul. 3, 10

SALE NO. 50

Ex. #10517 of 2008

**Citimortgage, Inc., s/b/m
Citifinancial Mortgage Company,**

Inc., Plaintiff

v.

**Judith M. Thomas a/k/a
Judith Murzynski Thomas as
Administratrix and Heir of the
Estate of James A. Thomas,
Deceased, Defendant(s)**

DESCRIPTION

All that certain piece or parcel of land situate in the First Ward of the City of Erie, County of Erie and State of Pennsylvania;

Beginning at a point in the north line of Atkins Street, 100 feet west of the west line of Hess Avenue; thence northwardly and parallel to Hess Avenue one hundred sixteen (116) feet; thence westwardly and parallel to Atkins Street, thirty (30) feet; thence southwardly and parallel to Hess Avenue one hundred sixteen (116) feet to the north line of Atkins Street; thence eastwardly along the north line of Atkins Street thirty (30) feet to the place of beginning. Having erected thereon a two story frame dwelling house, commonly known as 1214 Atkins Street, Erie, Pennsylvania and bearing Erie County Index No. (14) 1043-215.

PROPERTY ADDRESS: 1214
Atkins Street, Erie, PA 16503
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence
Center, 701 Market Street
Philadelphia, PA 19106
(215) 627-1322

Jun. 26 and Jul. 3, 10

SALE NO. 51

Ex. #14323 of 2007

**Beneficial Consumer Discount
Company d/b/a Beneficial
Mortgage Company of
Pennsylvania**

v.

**Marcus DeSantis a/k/a
Marcus L. DeSantis and
Elizetta DeSantis a/k/a
Elizetta L. DeSantis**

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 14323-07 Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania v. Marcus DeSantis a/k/a Marcus L. DeSantis and Elizetta DeSantis a/k/a Elizetta L.

DeSantis
 Marcus DeSantis a/k/a Marcus L. DeSantis and Elizetta DeSantis a/k/a Elizetta L. DeSantis, owners of property situated in the Township of Hillcreek, Erie County, Pennsylvania being 3654 W. Lake Road, Erie, Pennsylvania 16505.
 Tax I.D. No. 33-006-022.0-014.00
 Assessment: \$ 106,051.13
 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109
 Jun. 26 and Jul. 3, 10

SALE NO. 52

Ex. #11215 of 2009
Countrywide Home Loans Servicing, L.P.
 v.
Donnie R. Gillespie a/k/a Donnie Ray Gillespie a/k/a Donnie Gillespie a/k/a Don Gillespie and Kimberly A. Gillespie a/k/a Kimberly Ann Gillespie a/k/a Kimberly Gillespie a/k/a Kim Gillespie

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 11215-09 Countrywide Home Loans Servicing, L.P. v. Donnie R Gillespie a/k/a Donnie Ray Gillespie a/k/a Donnie Gillespie a/k/a Don Gillespie and Kimberly A Gillespie a/k/a Kimberly Ann Gillespie a/k/a Kimberly Gillespie a/k/a Kim Gillespie, owners of property situated in the 5th Ward of the City of Erie, Erie County, Pennsylvania being 4024 Stanley Avenue, Erie, Pennsylvania 16504.
 Tax I.D. No. 18-5204-301
 Assessment: \$79,466.43
 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109
 Jun. 26 and Jul. 3, 10

SALE NO. 53

Ex. #12369 of 2008
US Bank National Association as Successor Trustee to Wachovia Bank, N.A.
 v.
David J. Kloecker

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 12369-08 US Bank National Association as Successor Trustee to Wachovia Bank, N.A. v. David J. Kloecker, owners of property situated in the Township of Summit, Erie County, Pennsylvania being 1882 Julie Ann Ln, Summit Twp., Pennsylvania 16509.
 Tax I.D. No. 40-030-084.0-013.00
 Assessment: \$ 154,111.39
 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109
 Jun. 26 and Jul. 3, 10

**AUDIT LIST
NOTICE BY
PATRICK L. FETZNER**

**Clerk of Records,
Register of Wills and Ex-Officio Clerk of
the Orphans' Court Division, of the
Court of Common Pleas of Erie County, Pennsylvania**

The following Executors, Administrators, Guardians and Trustees have filed their Accounts in the Office of the Clerk of Records, Register of Wills and Orphans' Court Division and the same will be presented to the Orphans' Court of Erie County at the Court House, City of Erie, on **Monday, June 29, 2009** and confirmed Nisi.

July 23, 2009 is the last day on which Objections may be filed to any of these accounts.

Accounts in proper form and to which no Objections are filed will be audited and confirmed absolutely. A time will be fixed for auditing and taking of testimony where necessary in all other accounts.

<u>2009</u>	<u>ESTATE</u>	<u>ACCOUNTANT</u>	<u>ATTORNEY</u>
156.	Ruth K. Collyer	James S. Bryan & Michael Adamus, Exrs.	Knox McLaughlin Gornall & Sennett PC
157.	Esther S. Tess	Evelyn Stoddard, Exrx.	" " " "
158.	Lorraine A. Casella	Charles R. Casella, Exr.	Scott E. Miller

PATRICK L. FETZNER
Clerk of Records
Register of Wills & Orphans' Court Division

Jun. 26 and Jul. 3

ESTATE NOTICES

Notice is hereby given that in the estates 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 their attorneys named below.

FIRST PUBLICATION**CHARNEY, JOHN, JR.,****deceased**

Late of the City of Erie, County of Erie, Commonwealth of PA
Executrix: Cheryl L. Seippel, c/o 504 State Street, Suite 200, Erie, PA 16501

Attorney: Richard E. Filippi, Esquire, 504 State Street, Suite 200, Erie, PA 16501

GRAPPY, CHARLES E.,**deceased**

Late of the Township of Millcreek, Erie County, Pennsylvania
Executrix: Betty Lou Grappy, 837 McConnell Avenue, Erie, PA
Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

HEDDERICK, FRANCES L.,**deceased**

Late of the Township of McKean, County of Erie and Commonwealth of Pennsylvania
Executrix: John Deimling, c/o 504 State Street, Suite 300, Erie, PA 16501
Attorney: Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

KRAUSE, ARTHUR R., a/k/a**ARTHUR KRAUSE, a/k/a****ARTHUR RICHARD KRAUSE, deceased**

Late of the Township of Fairview, County of Erie, State of Pennsylvania
Executrix: Deborah E. Krause, 1829 West 34th Street, Erie, Pennsylvania 16508
Attorney: James R. Steadman, Esq., 24 Main St. E., Girard, Pennsylvania 16417

PRATT, FRANCIS M., a/k/a**FRANCES PRATT,****deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Administratrix: Kathleen M. Byers
Attorney: Edward P. Wittmann, Esquire, Elderkin, Martin, Kelly & Messina, 150 East 8th Street, Erie, PA 16501

PRZYBYSZEWSKI FRANCES, a/k/a FRANCES V.**PRZYBYSZEWSKI,****deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania
Executrix: Carol Przybyszewski, 2043 West 29th Street, Erie, PA 16508
Attorney: Thomas S. Kubinski, Esquire, The Gideon Ball House, 135 East 6th Street, Erie, PA 16501

SOBIESKI, ALEX A., a/k/a**ALEXANDER A. SOBIESKI,****deceased**

Late of Millcreek Township, Erie County, Pennsylvania
Executrix: Michael Sobieski, c/o McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507
Attorneys: Joseph P. Martone, Esquire, McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

ZUCK, THERESA,**deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania
Executrix: Gordon Zuck, 663 Silliman Avenue, Erie, PA 16511
Attorneys: MacDonald, Illig, Jones & Britton, LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

SECOND PUBLICATION**BEEMUS, FRED C., a/k/a****FRED BEEMUS,****deceased**

Late of the Township of Millcreek
Co-Executors: JoEllen Beemus Mannarelli, Cynthia Lee Beemus and Fred G. Beemus.
Attorney: Michael G. Nelson, Esquire, Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, 300 State Street, Suite 300, Erie, Pennsylvania 16507

BROWN, CHARLES L.,**deceased**

Late of the Township of Waterford, County of Erie and Commonwealth of Pennsylvania
Executrix: Julie Brown, c/o Kurt L. Sundberg, Esq., Suite 300, 300 State Street, Erie, PA 16507
Attorney: Kurt L. Sundberg, Esq., Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Attorneys-at-Law, Suite 300, 300 State Street, Erie, PA 16507

CARR, MCBRIDE PAZELLA,**deceased**

Late of the County of Erie, State of Pennsylvania
Executrix: Angela Carr-Heidelberg, 2627 Brandes Street, Erie, PA 16504
Attorney: None

**GREEN, LEIGH R.,
deceased**

Late of the City of Erie
Executor: Patricia L. Noneman
Attorneys: Will J. Schaaf, Esquire, Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Attorneys-at-Law, Suite 300, 300 State Street, Erie, PA 16507

**HALE, MARILYN JANE
AUSTIN,
deceased**

Late of the Borough of Edinboro, County of Erie and Commonwealth of Pennsylvania
Administrator: Thomas R. Hale, c/o Ritchie T. Marsh, Esq., Suite 300, 300 State Street, Erie, PA 16507
Attorney: Ritchie T. Marsh, Esq., Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Suite 300, 300 State Street, Erie, PA 16507

**KIDDER, ROBERT E., JR.,
a/k/a ROBERT E. KIDDER,
deceased**

Late of the Borough of Cranesville, County of Erie, Pennsylvania
Executrix: Linda L. Braner, c/o 150 East Eighth Street, Erie, Pennsylvania 16501
Attorney: Edward P. Wittmann, Esq., Elderkin, Martin, Kelly & Messina, 150 East Eighth Street, Erie, Pennsylvania 16501

**KRUPA, ANN V.,
deceased**

Late of the City of Corry, County of Erie, Commonwealth of Pennsylvania
Executrix: Chantal Cummings, c/o Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407
Attorney: Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407

**LASCAK, MARY, a/k/a
MARY D. LASCAK,
deceased**

Late of the Township of Springfield, County of Erie, State of Pennsylvania
Co-Executors: Stephen P. Lascak, 4270 Pin Oak Drive, Girard, Pennsylvania 16417 and Diane Lascak, 3676 West Lake Road, Erie, Pennsylvania 16505
Attorney: James R. Steadman, Esq., 24 Main St. E., Girard, Pennsylvania 16417

**LOIBL, CLIFFORD R.,
deceased**

Late of Millcreek Township
Administrator: Kurt M. Slater, 1360 Wana Drive, Erie, PA 16505
Attorney: Jerome C. Wegley, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**McHENRY, DAVID H.,
deceased**

Late of the Township of Millcreek, County of Erie, State of Pennsylvania
Executor: James R. Steadman, 24 Main St. E., Girard, Pennsylvania 16417
Attorney: James R. Steadman, Esq., 24 Main St. E., Girard, Pennsylvania 16417

**NIEMIEC, ANNE E.,
deceased**

Late of the City of Erie
Executor: Anne E. Van Dusen, 4533 US Highway 6, Linesville, PA 16424
Attorney: None

**PHILIP, ALEXANDER P.,
deceased**

Late of Millcreek Township, Erie County, Erie, Pennsylvania
Executor: Barry Philip, c/o Edward Orton, 33 East Main Street, North East, Pennsylvania 16428
Attorney: Edward Orton, Esq., Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428

**ROSSI, AQUINO MARK,
deceased**

Late of Millcreek Township, County of Erie and Commonwealth of Pennsylvania
Executor: Northwest Savings Bank, Michele D. Cavalier, Sr. Trust Offices, 800 State Street, Erie, PA 16507
Attorney: Thomas E. Kuhn, Esquire, Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, 300 State Street, Suite 300, Erie, PA 16507

**SHAMBURG, WILLIAM J.,
deceased**

Late of the City of Corry, County of Erie, Commonwealth of Pennsylvania
Executrix: Mary E. Gentilman, c/o Joan M. Fairchild, Esq., 132 N. Center St., Corry, PA 16407
Attorney: Joan M. Fairchild, Esq., 132 N. Center St., Corry, PA 16407

**STEARNS, WILLIAM ALLEN, JR.,
deceased**

Late of the Borough of Lake City, Commonwealth of Pennsylvania
Administratrix: Tamie Nieger, c/o Anthony Angelone, Esquire, 3820 Liberty Street, Erie, PA 16509
Attorney: Anthony Angelone, Esquire, Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

THIRD PUBLICATION

**BURCH, MARY B., a/k/a
MARY BARBARA BURCH,
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania
Executor: Douglas G. Buettner, Sr., 5346 Washington Avenue, Erie, Pennsylvania 16509
Attorney: Robert E. McBride, Esquire, 32 West Eighth Street, Suite 600, Erie, Pennsylvania 16501

DENIAL, ROSEMARY E., a/k/a ROSEMARY DENIAL, deceased

Late of the Township of Millcreek

Executor: Martin A. Denial

Attorney: Michael G. Nelson, Esquire, Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, 300 State Street, Suite 300, Erie, Pennsylvania 16507

EBERT, TERRANCE L., deceased

Late of Venango Township

Executor: Steven Ebert, 2126 Nevada Dr., Waterford, PA 16441

Attorney: None

EICHELSDORFER, CHARLOTTE ELLEN a/k/a CHARLOTTE E. EICHELSDORFER, deceased

Late of the City of Erie, County of Erie, Pennsylvania

Executor: David R. Eichelsdorfer, c/o 246 West 10th Street, Erie, PA 16501

Attorney: Scott E. Miller, Esquire, 246 West Tenth Street, Erie, PA 16501

LUCE, WANDA M., deceased

Late of the Township of Lawrence Park, Erie County, Pennsylvania

Executor: Gregory M. Luce, 551 Smithson Avenue, Erie, PA

Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16510

MATTSON, DURY L., JR., deceased

Late of the Township of Summit, County of Erie, Commonwealth of Pennsylvania

Executor: Robert Mattson, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

Attorney: James F. Toohey, Esquire, Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

McCALLION, WILLIAM D., deceased

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania

Executrix: Therese Wheaton, c/o 504 State Street, 3rd Floor, Erie, PA 16501

Attorney: Michael J. Nies, Esquire, 504 State Street, 3rd Floor, Erie, PA 16501

MIECZKOWSKI, FRANCES HELEN, deceased

Late of the Township of Waterford

Executrix: Carol Bohman

Attorney: Michael G. Nelson, Esquire, 300 State Street, Suite 300, Erie, Pennsylvania 16507

REEHER, LILLIAN M., a/k/a LILLIAN MAE REEHER, deceased

Late of the Township of Harborcreek, County of Erie, and Commonwealth of Pennsylvania

Executrix: Shirley L. Bly, 2644 Frontenac Drive, Erie, Pennsylvania 16511

Attorney: Robert E. McBride, Esquire, 32 West Eighth Street, Suite 600, Erie, Pennsylvania 16501

SERPA, MARGARET A., a/k/a MARGARET ADELINE SERPA, deceased

Late of the Borough of Wesleyville, County of Erie, and Commonwealth of Pennsylvania

Executor: Robert R. Thomas, 4308 Emmet Drive, Erie, Pennsylvania 16511

Attorney: Robert E. McBride, Esquire, 32 West Eighth Street, Suite 600, Erie, Pennsylvania 16501

ST. GEORGE, CAROLINE, deceased

Late of North East Township, Erie County, North East, Pennsylvania

Executrix: Mary J. Oliver, c/o Edward Orton, 33 East Main Street, North East, Pennsylvania 16428

Attorney: Edward Orton, Esq., Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428


CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

J. W. Alberstadt, Jr., ----- (814) 870-7750
 MacDonald, Illig, Jones & Britton, LLP ----- (f) (814) 454-4647
 100 State Street, Suite 700
 Erie, PA 16507 ----- *jalberstadt@mijb.com*

Nicole Sloane ----- (814) 451-6505
 PO Box 675
 Erie, PA 16512
Note: Attorney Sloane can still receive mail through the Public Defender's Office as well, but her PO Box in Elgin, PA is no longer a valid address.

Effective July 10

Laurie Mikielski ----- (814) 459-7754
 337 West Sixth Street ----- (f) (814) 459-8996
 Erie, PA 16507

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