LYCOMING REPORTER

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LYCOMING REPORTER

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PUBLISHED EVERY FRIDAY BY LYCOMING LAW ASSOCIATION

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LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803 Williamsport, PA 17701 www.lycolaw.org

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Your online connection for:

- Court Calendar Continuing Legal Education
- Conference Room Facilities Legal Assistance
- Recent Court Decisions Upcoming LLA & Public Events

www.lycolaw.org

SCHEDULED EVENTS

- Additional information about any of these events is available on the Lycoming Law Association website at www.lycolaw.org.
- 2/22/2016 Executive Committee Meeting: Regular monthly meeting. Time: 12:00 PM to 1:00 PM. Location: LLA Office
- 3/14/2016 LLA Committee Chair Lunch: Meeting to review accomplishments of the past year and discuss goals and objectives. Time: 12:00 PM to 1:00 PM. Location: LLA Office
- 3/28/2016 Executive Committee Meeting: Regular monthly meeting.
 Time: 12:00 PM to 1:00 PM. Location: LLA Office

The mission of the Lycoming Law Association is to promote the practice of law using the highest ethical standards and to advance the public image of our profession. We accomplish this by communicating within our profession and throughout our community, providing continuing legal education, encouraging collegiality among attorneys and the Court, providing *pro bono* legal assistance, and through community involvement.

Upcoming Lycoming County CLE Opportunities

- 2/17/2016 Eat & Earn: Managing a Law Firm: Techniques for Improving Your Workplace and Staying Compliant. Presented by: Kim Paulhamus. CLE credits: I Substantive Time: 12:00 PM to 1:00 PM. Location: Lycoming Law Association Office
- 2/23/2016 Unfair Labor Practices for the Non-Union Workplace: PBI Video Replay. CLE credits: 2 Substantive / 1 Ethics Time: 9:00 AM to 12:30 PM. Location: Lycoming Law Association Office
- 2/24/2016 The Legal Issues Surrounding Pipeline & Rights-of-Way Agreements in the Marcellus Shale Region: PBI Groupcast.

 CLE credits: 4 Substantive Time: 9:00 AM to 1:15 PM. Location: Lycoming Law Association Office
- 2/25/2016 Fundamentals of PA Business Corporation Practice: PBI Video Replay. CLE credits: 5 Substantive / I Ethics Time: 9:00 AM to 5:00 PM. Location: Lycoming Law Association Office
- 3/1/2016 Estate Planning in a Shale Energy Environment: PBI Video Replay.

 CLE credits: 4 Substantive Time: 9:00 AM to 1:30 PM. Location:
 Lycoming Law Association Office
- 3/3/2016 Boundary Law in PA: PBI Groupcast. CLE credits: 4 Substantive Time: 12:00 PM to 4:15 PM. Location: Lycoming Law Association Office
- 3/9/2016 Essentials of Copyright Law: PBI Video Replay. CLE credits: 4 Substantive Time: 9:00 AM to 1:30 PM. Location: Lycoming Law Association Office
- 3/10/2016 Guardianship 101: PBI Groupcast. CLE credits: 3 Substantive / I Ethics Time: 12:00 PM to 4:15 PM. Location: Lycoming Law Association Office
- 3/15/2016 Handling the Workers' Comp. Case: PBI Groupcast. CLE credits: 5 Substantive / 1 Ethics Time: 8:25 AM to 3:45 PM. Location: Lycoming Law Association Office
- 3/23/2016 29th Annual Civil Litigation Update: PBI Groupcast. CLE credits: 5 Substantive / 1 Ethics Time: 9:00 AM to 4:15 PM. Location: Lycoming Law Association Office
- 3/28/2016 Advanced Title Insurance Issues: PBI Groupcast. CLE credits: 3 Substantive Time: 12:30 PM to 3:45 PM. Location: Lycoming Law Association Office
- 3/31/2016 Elections and Disclaimers in Estates: PBI Video Replay. CLE credits: 3 Substantive Time: 9:00 AM to 12:30 PM. Location: Lycoming Law Association Office
- 4/4/2016 Long-Term Care Planning for Seniors: PBI Groupcast. CLE credits: 5 Substantive / 1 Ethics Time: 8:30 AM to 3:30 PM. Location: Lycoming Law Association Office

- 4/5/2016 Frequently Asked Questions About Ethics and Social Media: PBI Video Replay. CLE credits: 1 Ethics Time: 9:00 AM to 10:00 AM. Location: Lycoming Law Association Office
- 4/5/2016 Quiet Title: A Puzzle Worth Solving: PBI Groupcast. CLE credits: 3 Substantive / 1 Ethics Time: 12:00 PM to 4:15 PM. Location: Lycoming Law Association Office
- 4/6/2016 Social Security Disability: The Basics: PBI Groupcast. CLE credits: 3 Substantive / 1 Ethics Time: 9:00 AM to 1:15 PM. Location: Lycoming Law Association Office
- 4/13/2016 Sophisticated Issues for Family Lawyers: PBI Video Replay.

 CLE credits: 4 Substantive Time: 9:00 AM to 1:30 PM. Location:
 Lycoming Law Association Office
- 4/14/2016 Civil Practice in Magisterial District Courts: PBI Video Replay.

 CLE credits: 3 Substantive / I Ethics Time: 9:00 AM to 1:30 PM.

 Location: Lycoming Law Association Office
- 4/18/2016 The Basics of Realty Tax: PBI Groupcast. CLE credits: 3 Substantive Time: 12:30 PM to 3:45 PM. Location: Lycoming Law Association Office
- 4/19/2016 Marketing and Ethics: Balancing Smart Business Development and Adhering to the Rules: PBI Video Replay. CLE credits: I Ethics Time: 9:00 AM to 10:00 AM. Location: Lycoming Law Association Office
- 4/22/2016 Success With Summary Judgment Motions: How to Win Before Trial: PBI Video Replay. CLE credits: 3 Substantive Time: 9:00
 AM to 12:30 PM. Location: Lycoming Law Association Office
- 4/26/2016 Litigating the Insurance Bad Faith Claim: PBI Video Replay.

 CLE credits: 3 Substantive Time: 9:00 AM to 12:30 PM. Location:
 Lycoming Law Association Office
- 4/28/2016 Current Issues in Nursing Home Litigation: PBI Video Replay.

 CLE credits: 5 Substantive / I Ethics Time: 9:00 AM to 5:00 PM.

 Location: Lycoming Law Association Office
- 5/3/2016 Family Caregiver Agreements & Use of Real Estate for Elder Law Attorneys: PBI Groupcast. CLE credits: 3 Substantive Time: 9:00 AM to 12:15 PM. Location: Lycoming Law Association Office
- *PBI Seminar. For tuition, registration, and all other information, please contact PBI Customer Service at (800) 247-4724, or online at www.pbi.org. Unless otherwise noted, this seminar is being held at the Lycoming Law Association Offices at 25 West Third Street, Suite 803, Williamsport, PA. Additional fees may be assessed for registration at the door.
- **LLA Seminar. For tuition, registration, location, and all other information, please contact Michele Frey at the LLA Office at (570) 323-8287, by email at mfrey@lycolaw.org, or online at www.lycolaw.org.

- The full text of the following Lycoming County Court opinions is reported at www.lycolaw.org/Cases/search.asp.
- ▶ Commonwealth vs. Sowell (02/08/2016)—Judge Marc F. Lovecchio Criminal: Appeal; Post Conviction Relief Act petition; waiver of issues not raised in the lower court; legality of sentence; statutory construction; applicability of *Alleyne* to guideline sentence; issue previously litigated; sufficiency of evidence. (Sowell020816L)
- ► Commonwealth vs. Chase (02/08/2016)—Judge Marc F. Lovecchio Criminal: Suppression motion; reasonable suspicion to stop vehicle for suspected DUI; erratic driving. (Chase020816L)
- ▶ Jersey Shore Area School District vs. Girandi and Jersey Shore Area Education Association (02/03/2016)—Judge Richard A. Gray Civil: Motion for preliminary injunction; jurisdiction to determine whether or not tenured public school teacher waived right to grieve and arbitrate termination from employment; last chance agreement that waives rights; express waiver of right to arbitration; School Code prohibition of waiver of its provisions; issues to be determined in the first instance by an arbitrator. (JerseyShoreAreaSchoolDistrict020316g)
- ► Gray Fox Plaza and Krouse vs. Herbert, Roland & Grubic, Inc. (02/03/2016)—Judge Dudley N. Anderson

Civil: Summary judgment motion; trespass claim relating to the location of water main service line; property dedicated to public use; need for expert testimony for claim of negligently providing professional engineering services; party not in privity of contract with the professional. (GreyFoxPlaza020316a)

- ► Camacho vs. Muncy Creek Township Zoning Hearing Board (02/03/2016)—Judge Dudley N. Anderson
 - Administrative Appeal: Appeal of denial of variance; construction of deck that encroaches on required ten-foot setback; unique physical conditions peculiar to the property; abuse of discretion or an error of law; unreasonable economic burden. (Camacho020316A)
- ▶ Commonwealth vs. Gillespie (02/03/2016)—Judge Marc F. Lovecchio Criminal: Appeal; violation of probation; repeated failure to comply with conditions of supervision; probationary order not serving rehabilitative effect; reasonableness of prison sentence. (Gillespie020316L)

ESTATE AND TRUST 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. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

FIRST PUBLICATION

Bower, Margaret E., dec'd.

Late of Williamsport.

Administratrix: Anna Bower, 829 4th Ave., Williamsport, PA 17701. Attorney: Mary C. Kilgus, Esquire, 185 N. Main Street, Hughesville, PA 17737, Ph. (570) 312-0386, fax (570) 312-0387.

Hafer, John C., dec'd.

Late of Jersey Shore.

Co-Executors: Kimberly Yenner and Jason Hafer c/o Anthony J. Grieco, Esquire, Elion, Wayne, Grieco, Carlucci & Shipman, P.C., 125 East Third St., Williamsport, PA 17701.

Attorneys: Anthony J. Grieco, Esquire, Elion, Wayne, Grieco, Carlucci & Shipman, P.C., 125 East Third St., Williamsport, PA 17701.

Herman, Lee R. a/k/a Lee Ruth Herman, dec'd.

Late of Old Lycoming Township. Executrix: Sarabelle Leuthner. Attorneys: Julieanne E. Steinbacher, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

Keiser, Beatrice M., dec'd.

Late of the Township of Wolfe. Co-Executrices: Janet L. Bigger, 855 Hockley Hill Road, Turbotville, PA 17772 and Carol K. Webb, 89 Blue Sky Drive, Hughesville, PA 17737. Attorney: Robert E. Benion, Esquire, P.O. Box 356, Milton, PA 17847.

Kinney, Margaret E. a/k/a/ Peggy Kinney, dec'd.

Late of Williamsport.

Executrix: Stefanie A. Hostrander, 102 Nicol Drive, Reading, PA 19606. Attorneys: Anthony J. Grieco, Esquire, Elion, Wayne, Grieco, Carlucci & Shipman, P.C., 125 East Third St., Williamsport, PA 17701.

Potter, Mary Louise, dec'd.

Late of the City of Williamsport. Executrix: Sandra Roy, 2580 Bottle Run Road, Williamsport, PA 17701. Attorneys: James G. Malee, Esquire, Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701, (570) 321-6112.

Ulshafer, Nelson S., Sr., dec'd.

Late of Williamsport.

Executrix: Lisa A. Fedak, P.O. Box 611, Glen Gardner, NJ 08826.

Wertman, William R., dec'd.

Late of 7301 Route 118 Highway, Lairdsville.

Executors: Gaylord E. Morgan and Linda L. Morgan, 6734 Route 118 Highway, Lairdsville, PA 17742. Attorney: J. Howard Langdon, Esquire, 3 South Main Street, Muncy, PA 17756.

SECOND PUBLICATION

Baker, Geraldine F., dec'd.

Late of Nisbet.

Executrix: Sally Weaver.

Attorney: Richard G. Scheib, Esquire, 11 Reitz Blvd., Suite 102, Lewisburg, PA 17837-9293.

Confair, Charles H., dec'd.

Late of Unityville.

Executor: Ronald L. Confair.

Attorneys: Charles F. Greevy, III, Esquire, Greevy & Taylor Law Office, Lycoming Executive Plaza, 330 Pine Street, Suite 403, Williamsport, PA 17701, (570) 320-7100.

Felix, Ann M., dec'd.

Late of Williamsport.

Executrix: Kirsten A. Burkhart, 331 Brandon Avenue, Williamsport, PA 17701.

Attorneys: McNerney, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17701.

Greenaway, Martha A., dec'd.

Late of 1900 Ravine Road, Williamsport.

Executrix: Janet S. Miller, P.O. Box 122, Jersey Shore, PA 17740.

Attorney: Malcolm S. Mussina, Esquire, 426 Broad Street, Montoursville, PA 17754.

Haas, Ruth E., dec'd.

Late of the Township of Fairfield. Executor: Ronald S. Gingery. Attorneys: Eric Ladley, Esquire,

Attorneys: Eric Ladley, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

McCoy, Albert M., dec'd.

Late of Montoursville.

Executrix: Susan M. Fisher, 267 Griffith Road, Apt. 2, Muncy, PA 17756.

Attorneys: Fred A. Holland, Esquire, Murphy, Butterfield & Holland, P.C., 442 William Street, Williamsport, PA 17701.

Shief, Maxwell R., dec'd.

Late of Cogan Station.

Executor: Michael L. Shief, 1384 Crescent Hill Road, Cogan Station, PA 17728. Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701, (570) 321-0709.

Shires, Mildred a/k/a Mildred J. Shires, dec'd.

Late of Hughesville.

Executrix: Mary C. Robinson, 16 North Broad Street, Hughesville, PA 17737.

Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

Wiggins, Charlotte J., No. 41-15-0723, dec'd.

Late of 716 Woodland Avenue, Williamsport.

Executor: John M. Dzvonick, 620 Caruthers Lane, Irwin, PA 15642.

Attorneys: Benjamin W. Urso, Esquire, Zacharia & Brown P.C., 4500 Walnut Street, McKeesport, PA 15132.

THIRD PUBLICATION

Ashkar, Mary H., dec'd.

Late of the Township of Muncy Creek.

Executor: Woodlands Bank, 2450 E. Third Street, Williamsport, PA 17701

Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Browning, Twyla R., dec'd.

Late of the Township of Bastress. Executrix: Susan L. Browning. Attorneys: Elizabeth A. White, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Williamsport, PA 17701.

Dugan, Celia M., dec'd.

Late of Montoursville.

Executor: Harold W. Rinker, Jr., 348 Sulphur Run Road, Jersey Shore, PA 17740. Attorney: Leroy H. Keiler, III, Esquire, I10 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

Frey, Priscilla D. a/k/a Priscilla Dene Frey, dec'd.

Late of Muncy.

Executrix: Dorothy A. Bennett, 215 S. 2nd Street, Hughesville, PA 17737. Attorney: Layne R. Oden, Esquire, Nine South Main Street, Muncy, PA 17756-1306.

Fullmer, Lura M., dec'd.

Late of the Borough of Montours-ville

Executor: Woodlands Bank, 2450 E. Third Street, Williamsport, PA 17701.

Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Heim, William F. a/k/a Frederick W. Heim, dec'd.

Late of Williamsport.

Co-Executors: Debra L. Heim, Peggy J. Little, Joseph E. Heim and William D. Heim.

Attorney: Richard G. Scheib, Esquire, 11 Reitz Blvd., Suite 102, Lewisburg, PA 17837-9293.

Sanner, Shawn C., dec'd.

Late of Hughesville.

Administratrix: Reba J. Strickland, 2135 Brandywine Ct., Lakeland, FL 33813.

Attorneys: McNerney, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17701.

Scott, David A., dec'd.

Late of Williamsport.

Executrix: Patricia Scott Howlett. Attorney: Richard G. Scheib, Esquire, 11 Reitz Blvd., Suite 102, Lewisburg, PA 17837-9293.

SHERIFF'S SALE

Court of Common Pleas Lycoming County Civil Action Law

Number 15 01423

Northwest Savings Bank v.
Christopher J. Atwood

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: Christopher J. Atwood

Your house (real estate) at 419 Fourth Street, Montoursville, Pennsylvania 17754 is scheduled to be sold at Sheriff's Sale on May 6, 2016 at 10:30 a.m. in the Executive Plaza, 1st Floor Commissioners Board Room, 330 Pine Street, Williamsport, Pennsylvania 17701 to enforce the court judgment of \$61,869.85 obtained by Northwest Savings Bank against you.

NOTICE OF OWNER'S RIGHTS YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE

To prevent this Sheriff's Sale you must take immediate action:

- I. The sale will be canceled if you pay to Northwest Savings Bank the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call McCabe, Weisberg and Conway, P.C., Esquire at (215) 790-1010.
- 2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.
- 3. You may also be able to stop the sale through other legal proceedings.

You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See the following notice on how to obtain an attorney.)

YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE

- I. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling McCabe, Weisberg and Conway, P.C., Esquire at (215) 790-1010.
- 2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.
- 3. The sale will go through only if the buyer pays the Sheriff the full amount due on the sale. To find out if this has happened, you may call McCabe, Weisberg and Conway, P.C. at (215) 790-1010.
- 4. If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.
- 5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
- 6. You may be entitled to a share of the money which was paid for your real estate. A schedule of distribution of the money bid for your real estate will be filed by the Sheriff within thirty (30) days of the sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed schedule of distribution is wrong) are filed with

the Sheriff within ten (10) days after the posting of the schedule of distribution.

7. You may also have other rights and defenses, or ways of getting your real estate back, if you act immediately after the sale.

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

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

LAWYER REFERRAL SERVICE
ASSOCIATION DE LICENCIDADOS
Susquehanna Legal Services
329 Market Street
Williamsport, PA 17701
Telephone (570) 323-8741
McCABE, WEISBERG
& CONWAY, P.C.
Attorneys for Plaintiff
123 S. Broad St.
Ste. 1400
Philadelphia, PA 19109
(215) 790-1010

F-12

FILING OF CERTIFICATE OF ORGANIZATION OF LLC

NOTICE IS HEREBY GIVEN that a Certificate of Organization was filed on February 1, 2016 with the Department of State of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania for the purposes of obtaining a Certificate of Organization for a domestic limited liability company to be organized under Pennsylvania Business Corporation Law of 1988 (P.L. 1444, No. 177),

as amended. The name of the limited liability company is:

CHATEAU BOUND, LLC

The address of the principal place of business is: 1556 Riverside Drive, South Williamsport, PA 17702. The purpose for which the business has been organized is: to engage in and to do any lawful act concerning any and all lawful business for which corporations may be incorporated under Pennsylvania Business Corporation Law of 1988, as amended.

ELLIOTT B. WEISS, ESQUIRE ELLIOTT B. WEISS & ASSOCIATES 416 Pine Street Suite 203 Williamsport, PA 17701 (570) 327-2530

F-12

NOTICE IS HEREBY GIVEN that a Certificate of Organization was filed on February I, 2016 with the Department of State of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania for the purposes of obtaining a Certificate of Organization for a domestic limited liability company to be organized under Pennsylvania Business Corporation Law of 1988 (P.L. 1444, No. 177), as amended. The name of the limited liability company is:

MOVING PROPERTIES, LLC

The address of the principal place of business is: 1689 Quarry Road, Beavertown, PA 17813. The purpose for

which the business has been organized is: to engage in and to do any lawful act concerning any and all lawful business for which corporations may be incorporated under Pennsylvania Business Corporation Law of 1988, as amended. ELLIOTT B. WEISS, ESQUIRE ELLIOTT B. WEISS & ASSOCIATES 416 Pine Street Suite 203
Williamsport, PA 17701 (570) 327-2530

F-12

INTENTION TO CHANGE NAME

In the Court of Common Pleas of Lycoming County, Pennsylvania Civil Action

DOCKET 16-0098

NOTICE IS HEREBY GIVEN that the Petition of Debrah Baxter In re: Spencer Aidan Krauss (minor child) was filed in the said Court, praying for a Decree to change his name to Spencer Aidan Ericksen Pierce Baxter. The Court has fixed March 14, 2016 at 1:30 p.m., Courtroom #3, Judge Gray, Lycoming County Courthouse, Williamsport, Pennsylvania, for the hearing of said Petition, at which time anyone having objections to the Petition may be heard.

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* Dated Material. Do Not Delay. Please Deliver Before Monday, February 15, 2016