

# LEGALS

## Central Fulton School District Attention: Food Service Management Companies

The Central Fulton School District is requesting proposals for school food service management services. The Food Service Management Co. will provide management services according to United States Department of Agriculture (USDA) regulations and guidelines, as well as the Pennsylvania Department of Education policies and guidelines.

Food service management companies and/or their representatives may submit proposals to Central Fulton School District, Attn: Jolinda Wilson, 151 East Cherry Street, McConnellsburg, PA 17233

The Central Fulton School District Board of Education reserves the right to accept or reject any and/or all proposals or to accept the proposal that it finds, in its sole discretion, to be in the best interest of the school district.

A walk-through meeting is scheduled for February 24, 2009, at 10:00 at Central Fulton School District, 151 East Cherry Street, McConnellsburg, PA 17233.

All proposals must be submitted no later than 10:00 a.m. on March 24, 2009. All proposals should be delivered in a sealed envelope and addressed to the Central Fulton School District and be clearly marked: Food Service Management Proposal.  
1-15-3x

## SECTION 00100 ADVERTISEMENTS FOR BIDS CONSTRUCTION OF 12-INCH FINISHED WATER MAIN

Owner: McConnellsburg Borough Municipal Authority, PO Box 218, 691 Buchanan Trail, McConnellsburg, PA 17233.

Engineer: Gannett Fleming Inc., Environmental Resources Division, Gannett North, Room 200, 202 Senate Avenue, Camp Hill, PA 17011.

Sealed bids will be received by the owner at PO Box 218, 691 Buchanan Trail, McConnellsburg, PA 17233, until 5:00 p.m., prevailing time, February 18, 2009. The bids will be publicly opened and read aloud later the same day at the Fulton House, 112 Lincoln Way East, McConnellsburg, PA 17233, at 7:30 p.m., prevailing time.

The project consists of construction of approximately 11,000 linear feet of 12-inch diameter ductile iron pipe water main and appurtenances including valves, air release manholes, fire hydrants, a stream crossing by boring and jacking, replacement of water service lines, and restoration work, including seeding and pavement replacement.

Bidding documents may be obtained only at Gannett Fleming Inc., Environmental Resources Division by contacting Ms. Lynne Snyder at 717-763-7212, internal extension 2862; mailing address: Room No. N250, PO Box 67100, Harrisburg, PA 17106-7100. Project No. 48125.

Bid document cost is \$100 and is nonrefundable. Make checks payable to Gannett Fleming Inc., Environmental Resources Division. Bidding documents may be examined without cost at the engineer's office.

Each bid shall be accompanied by a certified check on a solvent bank or a bid bond in an amount not less than 10 percent of the bid total, payable to the owner in accordance with the instruction to bidders.

All questions pertaining to securing bidding documents, bidder's list, etc., shall be directed to Ms. Lynne Snyder internal extension 2862, and all questions pertaining to technical specifications, legal and bid submission shall be directed to Mr. David E. Marks, internal extension 2463, at Gannett Fleming Inc., Environmental Resources Division (Telephone: 717-763-7212).

Bidders are subject to all applicable provisions of the Pennsylvania Prevailing Wage Act (Act No. 442) and bids shall be prepared accordingly. The applicable prevailing wage predetermination is included in the project manual.

The project is expected to be funded by a grant from the Commonwealth of Pennsylvania, Department of Community and Economic Development, PEN-NEWWORKS Program. All activities authorized by this contract shall be performed in accordance with applicable statutes, regulations, conditions, directives, guidelines and such additional requirements as may be attached hereto or otherwise provided by the department.

The owner reserves the right, at its option, to waive any informalities, defects, errors or omissions in any or all bids and to reject any or all bids.  
1-22-2x

## SHERIFF'S SALE

By virtue of a certain writ of execution at the suit of Patriot Federal Credit Union, plaintiff(s) v. Mark A. Defibaugh and Amy F. Defibaugh, defendant(s), at No. 180-2008-C, issued out of the Court of Common Pleas of Fulton County, Pa., and to me directed, I will sell at public outcry in the Fulton County Courthouse, 201 North Second Street, McConnellsburg, Pa., on Wednesday, February 11, 2009, at 10:00 o'clock a.m., the following described property:

ALL the following described real estate, lying and being situate in Ayr Township, Fulton County, Pa., with a property address of 15856 Great Cove Road, McConnellsburg, Pa., bounded and described as follows:

Tract #1: BEGINNING at a willow tree by the creek, a corner of land now or formerly of J.H. Johnston and Himmel Harris, and running north 75 degrees east 20.3 perches to a stone near the creek, thence south 87 3/4 degrees east 6.4 perches to stone, thence north 34 1/4 degrees east 7 perches to stones, thence north 32 1/4 degrees west 14.2 perches to a corner on line now or formerly of William M. Patterson creamery property, thence north 18 degrees east 2.8 perches to a point in the road, thence north 74 1/4 degrees west 10.8 perches to point in state road, thence south 39 degrees west 22 perches to post, thence south 3 degrees east 154 feet to willow tree, the place of beginning. CONTAINING 3 acres and 57 perches.

Tract #2: BEGINNING at a point in the middle of the private road, leading from the public road into the residence now or formerly of Leonard Bivens, thence south 42 feet, thence east 110 feet to corner of fence near ice house, thence along said fence east 36 feet to eastern corner of hog lot, thence northeast 42 feet to a point on land now or formerly of Leonard Bivens on bank of creek, thence northeast 125 feet to a point in road, leading to residence now or formerly of Leonard Bivens, near bridge, thence north 87 feet to place of beginning. CONTAINING 1/4 acre more or less.

ALSO CONVEYED herewith is the right to the use of a spring located upon the property now or formerly of Ralph Glenn and Marjorie F. Glenn, his wife, in Ayr Township, Fulton County, Pa., said spring being located 115 feet southwest of the stone spring-house upon the property of Ralph Glenn and his wife. There is also conveyed hereby a non-exclusive right to the grantees, their heirs and assigns, to the use of the said water with the additional right to pipe the same from the spring to the grantees' land with the additional right of ingress and egress to keep and maintain the spring and pipeline.

The forementioned spring is located upon the land described in deed from George B. Richard, et ux to Ralph Glenn and Marjorie F. Glenn, his wife, dated May 16, 1968, recorded in Fulton County Deed Book 75, page 50, and being tract #1 of said deed.

BEING the same right to use the said spring as conveyed by Ralph Glenn and Marjorie F. Glenn, his wife, to Rankin J. Mellott by deed dated October 31, 1969, recorded in Fulton County Deed Book 74, page 318.

UNDER AND SUBJECT to a right-of-way in favor of Rankin J. Mellott and Catherine H. Mellott, his wife, over an existing roadway leading through the land conveyed from U.S. Route 522 to the other lands of the said Rankin J. Mellott and Catherine J. Mellott, being the "Himmel Harris" tract, for the purpose of ingress, egress and regress to that property.

FOR a more particularly description of this property, refer to the plot as surveyed January 2, 1918, by Frank P. Plessinger, county surveyor.

BEING the same real estate which Wilfred K. Ford and Charlotte B. Ford conveyed to Mark A. Defibaugh and Amy F. Defibaugh by deed dated October 28, 2005, and recorded in Fulton County Deed Book Volume 0441, page 0262.

LESS HOWEVER a tract described in Fulton County Record Book 266, page 63.

Under and subject to covenants, conditions, reservations, restrictions, easements and rights-of-way of record.

Subsurface rights not conveyed.

Improvements: a residential dwelling at 15856 Great Cove Road, McConnellsburg, Pennsylvania, Tax Parcel #01-05-046.

NOTICE is hereby given that all claims to the above listed property, or any part thereof, must be filed with the sheriff of Fulton County, Pa., before the sale as above fixed and that all claims to the proceeds from said sale must be filed with the said sheriff before the date fixed for distribution hereafter and that a sheriff's schedule of distribution of said proceeds will be filed in his office on February 23, 2009, and that distribution will be made in accordance with said schedule unless exceptions are filed within 10 days thereafter.

Seized and taken in execution as the property of Mark A. Defibaugh and Amy F. Defibaugh, defendant(s).

Sheriff's Office  
McConnellsburg, PA 17233  
Dated: December 9, 2008  
Keith B. Stains, Sheriff  
1-22-3x

## SHERIFF'S SALE

By virtue of a certain writ of execution at the suit of U.S. Bank National Association, plaintiff(s) v. Robert Delauter and Jennifer Delauter, defendant(s), at No. 211-2008-C, issued out of the Court of Common Pleas of Fulton County, Pa., and to me directed, I will sell at public outcry in the Fulton County Courthouse, 201 North Second Street, McConnellsburg, Pa., on Wednesday, February 11, 2009, at 10:00 o'clock a.m., the following described property:

ALL that certain described lot of ground, with improvements thereon erected, situate in Bethel Township, Fulton County, Pa., bounded and described as follows:

BEGINNING at a point in the centerline of Green Lane Road, T-306, a corner common to Lot #3, lands now or formerly of Shane M. Shaffer, et ux, thence along the centerline of Green Lane Road, T-306, south 32 degrees 55 minutes 25 seconds west 268.99 feet to a point in the centerline of Green Lane Road, T-306 and corner common to Lot No. 1 of the Green Lane Ridge Subdivision, thence along Lot #1 of the Green Lane Ridge Subdivision north 52 degrees 12 minutes 11 seconds west 1,152.75 feet to an iron pin, set, on line of lands of High Rocks Hunting Club Inc., thence along lands of High Rocks Hunting Club Inc., north 30 degrees 24 minutes 32 seconds east 233.80 feet to an iron pin, set, corner common to Lot #3, lands now or formerly of Shane M. Shaffer, et ux, thence along Lot #3 south 53 degrees 59 minutes 18 seconds east 1,160.53 feet to a point in the centerline of Green Lane Road, T-306, the place of beginning. Containing 6.646 acres, more or less, and being Lot #2 of the Green Lane Ridge Subdivision, a plat of which is recorded at Fulton County Plat Book 5, page 12 as surveyed by Dennis K.

Golden, PLS, March 10-24-1992.

UNDER AND SUBJECT to the conditions and restrictions set forth in the above referenced deed:

1. The land in this tract shall be used for residential, recreational, and/or agricultural purposes only and no building or structure shall be erected, altered, placed or permitted to remain thereon except for residential, recreational and/or agricultural purposes.

2. The unit size plot of ground for each dwelling or residence to be erected in this tract is five acres. More ground may be used but not less. The land in this tract shall not be subdivided into, transferred, conveyed or sold in parcels smaller than five (5) acres in area.

3. No noxious or offensive activity shall be carried on upon said tract, nor shall anything be done thereon which may be or become an annoyance or nuisance. No junk, salvage material, scrap metal, junk cars or cars for sale may be stored at any time.

4. The owners of the land shall preserve and protect the rural character of the area.

5. No buildings or structures other than fences shall be erected within one hundred twenty-five (125) feet of the centerline of Green Lane Road upon which this tract fronts. No trailers of any kind shall be erected or placed within six hundred (600) feet of the centerline of said road.

6. Enforcement of these conditions and restrictions shall be by proceedings at law or equity by the original grantor or her assigns or by any grantee of any part of the land to which these proceedings are applicable against any person or persons violating or attempting to violate any such conditions or restrictions, either to restrain violation or to recover damage.

7. No mobile homes, trailers or double-wide mobile homes shall be placed upon Lots Nos. 2, 3 and 4 of the Green Lane Subdivision.

8. Invalidation of any one of these conditions or restrictions shall in no way affect any other restriction or condition which shall remain in full force and effect.

9. The above mentioned conditions and restrictions shall be perpetual and are covenants which shall run with and bind the land hereby conveyed and shall be set forth in the deed conveying this tract, failure of any of said landowners to enforce any condition or restriction or provision herein shall in no event be deemed a waiver of the right to do so thereafter as to the same breach or as to one occurring prior to subsequent thereto.

10. The grantees, for themselves, their heirs, successors, personal representatives and assigns by the acceptance of this instrument covenant to faithfully observe and perform the foregoing conditions and restrictions.

IT BEING the same premises which Rodney L. McCray and Carol J. McCray, husband and wife, by their deed dated October 10, 2003, and recorded in the Fulton County Record of Deeds Office on October 16, 2003 in Land Record Book 379, page 487, granted and conveyed unto Gene E. Swadley and Melissa A. Swadley, husband and wife, grantors herein.

Parcel Identification No: 03-02-033-000.

Title to said premises is vested in Robert Delauter and Jennifer Delauter, h/w, by deed from Gene E. Swadley and Melissa A. Swadley, h/w, dated 05/20/05, recorded 05/23/05 in Book 424, page 291.

Premises: 959 Green Lane Road, Warfordsburg, PA 17267-

8786.

Improvements: a residential dwelling.

NOTICE is hereby given that all claims to the above listed property, or any part thereof, must be filed with the sheriff of Fulton County, Pa., before the sale as above fixed, and that all claims to the proceeds from said sale must be filed with the said sheriff before the date fixed for distribution hereafter, and that a sheriff's schedule of distribution of said proceeds will be filed in his office on February 23, 2009, and that distribution will be made in accordance with said schedule unless exceptions are filed within 10 days thereafter.

Seized and taken in execution as the property of Robert Delauter, Jennifer Delauter, defendant(s).

Sheriff's Office  
McConnellsburg, PA 17233  
Keith B. Stains, Sheriff  
1-22-3x

## NOTICE

The financial statements and related auditor's report of the Forbes Road School District as of and for the year ended June 30, 2008, is available for public inspection at the administrative center of the Forbes Road School District, 159 Red bird Drive, Waterfall, PA 16689, between the hours of 8:00 a.m. and 3:00 p.m. Monday through Friday.  
1-22-3t

## NOTICE

Sealed proposals will be accepted by the Licking Creek Township Board of Supervisors until 7:00 p.m. on February 25, 2009 for the following stone products:

1,000 ton crusher run stoe; 1,000 ton No. 3 washed stone; 1,000 ton rip rap stone; 1,000 ton 2B stone (#57), 1,000 ton dirty crusher run 2RC, 1,000 ton No. 7 washed stone, 1,000 ton No. 3 washed stone clean, 1,000 ton No. A modified, 1,000 ton gabions.

All tons purchased will be more or less depending on actual usage.

Proposals must be upon the forms furnished by the Licking Creek Township Secretary (717-573-2822). These bids must be accompanied by a certified check or bid bond in the amount of 10 percent of the bid, made payable to Licking Creek Township. Bids will be opened at the township meeting on February 25, 2009, at 7:30 p.m.

The municipality reserves the right to reject any or all proposals.

Licking Creek Township  
LuAnne Keebaugh, Sec.  
1-22-2t

## EXECUTOR'S NOTICE

NOTICE is hereby given that letters testamentary on the estate of John B. Bivens, late of Todd Township, Fulton County, Pa., have been granted to the undersigned, and he requests all persons having claims against said estate to make known the same to Thomas D. Robinson, 420 North Fourth Street, McConnellsburg, PA 17233, or his attorney, and all persons indebted to said decedent to make

payment to him without delay.

Thomas D. Robinson,  
Executor

Schall and Bard, LLC  
James M. Schall, Esquire  
119 North Second Street  
McConnellsburg, Pa. 17233  
1-29-3t

## NOTICE

The 2009 budget and 2009 calendar of meetings are on display for viewing at the Bethel Township Building on Long Hollow Road in Warfordsburg.

Deb Peck, Secretary  
Bethel Township  
Sewage Authority  
1-29-1t

## NOTICE OF AUDIT

The auditors have completed their examination of the financial records of Central Fulton School District for the year ended June 30, 2008. Copies of the audit report have been filed with the Fulton County Court of Common Pleas, Tuscarora Intermediate Unit #11 and other financial institutions.

The audit report is available for public inspection at the district office during normal business hours.

Jolinda C. Wilson  
Business Manager  
1-29-3t

## NOTICE

The county of Fulton will offer for sale used items of tangible personal property on the following dates in 2009: February 17, April 15, July 15 and October 15. All items shall be described and listed on the Fulton County Internet Web site (http://auction.co.fulton.pa.us.)

Items will be available at least 10 days prior to the sale for viewing. All bidding shall be via Internet where specific instructions will be found.

Fulton County  
Board of Commissioners  
Bonnie Mellott Keefer  
Daniel H. Swain Jr.  
David R. Hoover II  
1-29-1t

## EXECUTOR'S NOTICE

Estate of Nathan R. Henry II, late of Taylor Township, Fulton County, Pa., deceased.

Letters testamentary on the above estate having been granted to the undersigned, all persons indebted to said estate are requested to make payment and those having claims are required to present same, duly authenticated, without delay.

Craig N. Henry, Executor  
Stanley J. Kerlin, Esquire  
204 North Second Street  
McConnellsburg, PA 17233-1104  
717-485-4151

## Center for Community Action

195 Drive In Lane  
Everett, PA 15537

Will be closed all day

Thursday, January 29, 2009

The office will reopen at 8:00 a.m.

On Friday, January 30, 2009

814-623-9129 or 800-323-9997

THE  
**STORAGE YARD LLC**  
14420 Buck Valley Rd.  
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