

Mary Stabile
P.O. Box 108
Andover, NJ 07821
(201) 347-8902

November 24, 1994

Columbia County Sheriff's Office
Columbia County Courthouse
Bloomsburg, PA 17815

To Whom It May Concern:

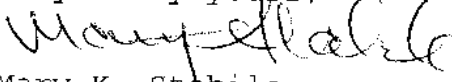
On December 12, 1975 my father, Michael Stabile, now deceased, purchased at Sheriff's Sale a parcel of realty located in Columbia County. A Writ of Execution was issued on August 11, 1975 out of the Court of Common Pleas of the County of Columbia as of Term 39 of 1975 at the suit of Michael Stabile against J.L. & J. Coal Co., Inc. The estate is attempting to list this property for sale but is being questioned by various parties regarding the quality of title obtained from the Sheriff's sale.

It is my understanding that pursuant to Pennsylvania law a Sheriff's sale will discharge not only the judgment on which the sale was held but also all judgments, liens, agreements, contracts or other encumbrances made prior to the sale, unless the deed is made expressly subject to a prior lien or otherwise provided by statute, e.g. taxes or municipal and Commonwealth claims. Would your office be so kind as to confirm that in fact my understanding of the law in Pennsylvania is correct in this regard.

Is there a Statute of Limitations with respect to an individual or entity claiming an interest or right in the subject property and what if any is the time frame for asserting any such claim?

Your assistance is sincerely appreciated.

Very truly yours,


Mary K. Stabile

To the Honorable, the Judges within named:

I HEREBY CERTIFY AND RETURN, That in obedience to and by virtue of the within writ, to me directed, I seized and took into execution the within described real estate, and after having given due legal and timely notice of the time and place of sale, by advertisements in divers public newspapers and by handbills set up in the most public places in my bailiwick, I did on Friday the 12th day of December 19 75, at 2:00 o'clock P. M., of said day at the Court House, in the Town of Bloomsburg, Pa., expose said premises to sale at public vendue or outcry, when and where I sold the same to Michael Stabile

for the price or sum of Twenty-Two Thousand and Five Hundred Dollars
\$22,500.00 Dollars

being the highest and best bidder, and that the highest and best price bidden for the same; which I have applied as follows, viz: To costs

Amount Due		40,000.00
Interest from May 8, 1975		1,209.80
Atty. Comm.		4,000.00
Prothy. Paid		10.00
Judgement Fee		6.50
Atty. Fee		3.00
Sat.		8.00
Sheriff Vandling		205.13
Docket & Levy	7.50	
Sale	3.00	
Advertising	3.00	
Sheriff Mileage	9.75	
Posting Bills	5.00	
Poundage	127.50	
Sheriff York County	22.23 (Pd. by Sheriff of Columbia Co.)	
Sheriff Monroe County	27.15 (Pd. by Sheriff of Columbia Co.)	
Prothonotary Peterson Deed \$3.00 - List of Liens \$5.50		8.50
The Morning Press (Advertising)		68.40
Berwick Enterprise (Advertising)		68.40
C. William Henrie (Printing Sale Bills)		18.00
Register & Recorder		460.00
Deed	7.50	
Search	1.50	
Affidavit State Stamps	225.00	
Realty Transfer	225.00	
Affidavit	1.00	

Bureau of Corporation Taxes (Certified Proof of Claim) 582.60

Michael Stabile Plaintiff.

vs.

J. L. & J. Coal Company, Inc., Defendant.

No. 39 of 1975 E.D.

No. 46 November Term 1975 J.D.

Sheriff's Office, Bloomsburg, Pa. }
 December 12, 1975 }

So answers

Kurt B. Vandy
 Sheriff

CHICAGO TITLE INSURANCE COMPANY

WOOLWORTH BUILDING, 233 BROADWAY, NEW YORK, NEW YORK 10007/(212) 285-4000



April 14, 1978

Victor B. Vandling
Sheriff of Columbia County
Court House
Bloomsburg, Pa. 17815

Re. Stabile vs. J. & L. Coal Co.

Dear Sheriff:

Thank you very much indeed for sending me a copy of the returns of service in the execution sale, Michael Stabile v. J & L. and J. Coal Company. The return is very useful and contains the information I need.

If I can be of any assistance to you at any time, I shall be happy to be of service.

Very truly yours,

A handwritten signature in cursive script that reads "H. Bell".

Harry C. Bell
Claims Counsel

HCB/jm

Sheriff's Sale
 Michael Stable
 J. F. & J. Coal Company, Inc
 No. 39 of 1975 E.D.
 No. 46 November Term 1974 J.D.
 Friday, December 12, 1975
 at 2:00 o'clock P.M.

Amount Due		40,000.00
Interest from May 8, 1975		1,209.80
Atty Comm.		4,000.00
Spotting Paid	88	45 ¹ 207.80
Judgement Fee	1	10.00
Atty Fees		46.50
Sale		3.00
Sheriff Vending		3.00
Booklet & Levy	7.50	
Sale	3.00	
Advertising	3.00	
Sheriff mileage	9.95	
Posting Bills	5.00	
Boundaries	127.50	
Sheriff of Adams County	22.23	
Sheriff of Monroe County	27.15	
Printed by Peterson Road 300 - list of names	5.50	8.50
The Morning News (advertising)		68.40
Bureau Enterprise (advertising)		68.40
Taxes - Columbia County Treasurer		
Taxes - Conyngham Township		
C. William Pennes - Printing Sale Bills		18.00
Registers & Records		460.00
Deed -	7.50	
Search	1.50	
affidavit -	1.00	
state stamps	225.00	
Realty Transfer Tax	225.00	
Bureau of Corporation Taxes (Certified Proof of Claim)		582.60
Sold to Michael Stable		
Plaintiff at his bid of		
# 22,500.00		

3 & 4 Sheriff
of Columbia

2
2

assessed value 7500 Real Market Value 22,500

WRIT OF EXECUTION – (MONEY JUDGEMENTS) Rules P.R.C.P. 3101 to 3149

#742 June 5, 1975

.....
MICHAEL STABBLE.....
 vs
J. L. & J. COAL CO., INC.....

No.39...of...1975..... Term ~~13~~.....E.D.
 No.46, November..... Term 19.74...J.D.
 No. Term 19.....

WRIT OF EXECUTION
 (MONEY JUDGEMENTS)

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF ..COLUMBIA.....
 TO THE SHERIFF OF ..MONROE..... COUNTY, PENNA.

To satisfy the judgement, interest and costs against J. L. & J. COAL CO., INC., 141 E. Market Street, York, Pennsylvania 17405 and P. O. Box 474, Mt. Pocono, Pennsylvania 18344

..... Defendant (s);

(1) You are directed to levy upon the property of the defendant (s) and to sell his, her (or their) interest therein; (Inquisition and Exemption Laws waived and Condemnation agreed to)

(2) You are also directed to attach the property of the defendant not levied upon in the possession of(property description attached).....

..... as Garnishee (s)
 (Specifically describe property)

and to notify the Garnishee (s) that

(a) an attachment has been issued;

(b) the garnishee (s) is enjoined from paying any debt to or for the account of the defendant (s) and from delivering any property of the defendant (s) or otherwise disposing thereof.

(3) If the property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee (s), you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount due	\$ 40,000.00
Atty. comm.	4,000.00
Interest from May 8, 1975	1,209.80
Total	45,209.80

Plus costs as per endorsement hereon

A. M. ...
 Prothonotary, Court of Common Pleas of
 Columbia County, Penna.

Dated August 11, ... 1975
 (SEAL)

By:
 Deputy

PRAECIPE FOR WRIT OF EXECUTION — (MONEY JUDGMENTS)
P.R.C.P. 3101 to 3149

...MICHAEL STABILE, BROOKSIDE FARM
 R. D. #5
 ...NEWTON, NEW JERSEY.....
 vs
 ...J. L. & J. COAL CO., INC.....
 141 E. MARKET STREET
 YORK, PENNSYLVANIA 17405

IN THE COURT OF COMMON PLEAS OF
 COLUMBIA COUNTY, PENNSYLVANIA

No. Term 19.....E.D.
 No. ...46, NOVEMBER..... Term 19..74..J.D.
 No. Term 19.....

PRAECIPE FOR WRIT OF EXECUTION
 (MONEY JUDGMENT)

To the Prothonotary: ISSUE WRIT OF EXECUTION IN THE ABOVE MATTER,

- (1) Directed to the Sheriff of ... COLUMBIA..... County, Penna.;
- (2) against ...J. L. & J. COAL CO., INC., 141 E. Market Street, York, Pennsylvania 17405 and P. O. Box 474, Mt. Pocono, Pennsylvania 18344.
 Defendant(s);
- (3) and against Garnishee(s);
- (4) and index this writ
 - (a) against Defendant(s) and
 - (b) against Garnishee(s),

as a lis pendens against the real property of the defendant(s) in the name of the Garnishee(s) as follows:
 (Specifically describe property)

(Property description attached)

(5) Amount due	\$ 40,000.00
Interest from May 8, 1975	...1,209.80..
Att'y. Comm.	...4,000.00..
Total	\$ 45,209.80.. Plus costs.

Date: May 11, 1975 *MKS*

 Attorney for Plaintiff(s)

NOTE

Under paragraph (1) when the writ is directed to the sheriff of another county as authorized by Rule 3103(b), the county should be indicated.
 Under Rule 3103(c) a writ issued on a transferred judgment may be directed only to the sheriff of the county in which issued.
 Paragraph (3) above should be completed only if a named garnishee is to be included in the writ.
 Paragraph (4) (a) should be completed only if indexing of the execution in the county of issuance, is desired as authorized by Rule 3104(a). When the writ issues to another county indexing is required as of course in that county by the prothonotary. See Rule 3104(b).
 Paragraph (4) (b) should be completed only if real property in the name of a garnishee is attached and indexing as a lis pendens is desired. See Rule 3104(c).

second part, its successors, and assigns, ALL that tract situate in Conynghua Township, Columbia County, Pennsylvania, bounded, limited and described as follows, to wit:

BEGINNING at a point at the southwest corner of this conveyance, said point also being the intersection of this conveyance and the Pagnotti Coal Company and Elcon Construction Company properties; thence along the division line of this conveyance and Elcon Construction Company North six degrees forty-five minutes (N 6°45'W) West three thousand seven hundred eighty feet (3780.0') more or less to a point, said point being the northwest corner of this conveyance; thence still along the division line of Elcon Construction Company North eighty-one degrees twenty-five minutes (N 81°25'E) East two thousand four hundred twenty feet (2420.0') more or less to a point, said point being the northeast corner of this conveyance; thence along the division line of this conveyance and other land of said Grantor South six degrees forty minutes (S 6°40'E) East three thousand nine hundred seventy and ninety-one hundredths feet (3970.91') more or less to a point, said point being the southeast corner of this conveyance and also the north line of aforesaid Pagnotti Coal Company property; thence along the north line of Pagnotti Coal Company South eighty-five degrees fifty-seven minutes (S 85°57'W) West two thousand four hundred twenty feet (2420.0') more or less to place of beginning.

CONTAINING 215.13 Acres.

EXCEPTING all areas shaded in green which are as follows:

1. Lehigh Valley Railroad
2. Helker Construction Company
3. Deed not recorded
4. Part of Mt. Carmel Dist. Industrial Fund Inc.
5. Pa. Rt. No. 61
6. Joseph J. and Florence DeLuca
7. Mt. Carmel Water Company
8. Mt. Carmel Gas Company
9. Stephen P. and Dorothy Jepko

LEAVING approximately 150 Acres.

BEING a portion of the Peter Dehaven Tract and a portion of the John Whiteman Tract.

PRAECIPE FOR WRIT OF EXECUTION — (MONEY JUDGMENTS)
P.R.C.P. 3101 to 3149

.. MICHAEL STABILE, .. BROOKSIDE ..
 FARM
 R. D. #5
 .. NEWTON, .. NEW JERSEY ..
 vs
 .. J. L. & J. COAL CO., .. INC.
 141 E. MARKET STREET
 YORK, PENNSYLVANIA 17405

IN THE COURT OF COMMON PLEAS OF
 COLUMBIA COUNTY, PENNSYLVANIA

No. Term 19.....E.D.
 No. ...46, .. NOVEMBER..... Term 19..74..J.D.
 No. Term 19.....

PRAECIPE FOR WRIT OF EXECUTION
 (MONEY JUDGMENT)

To the Prothonotary: ISSUE WRIT OF EXECUTION IN THE ABOVE MATTER,

- (1) Directed to the Sheriff of ... COLUMBIA..... County, Penna.:
- (2) against .. J. L. & J. COAL CO., .. INC., 141 E. Market Street, York,
 Pennsylvania 17405 and P. O. Box 474, Mt. Pocono, Pennsylvania 18344.
 Defendant(s);
- (3) and against Garnishee(s);
- (4) and index this writ
 (a) against
 Defendant(s) and
- (b) against
 Garnishee(s),

as a lis pendens against the real property of the defendant(s) in the name of the Garnishee(s) as follows:
 (Specifically describe property)

(Property description attached)

(5) Amount due	\$ 40,000.00
Interest from May 8, 1975	...1,209.80..
Att'y. Comm.	...4,000.00..
Total	\$ 45,209.80.. Plus costs.

Dated .. 11/11/75 ..

Walter A. [Signature]
 Attorney for Plaintiff(s)

NOTE

Under paragraph (1) when the writ is directed to the sheriff of another county as authorized by Rule 3103(b), the county should be indicated.
 Under Rule 3103(c) a writ issued on a transferred judgment may be directed only to the sheriff of the county in which issued.
 Paragraph (3) above should be completed only if a named garnishee is to be included in the writ.
 Paragraph (4) (a) should be completed only if indexing of the execution in the county of issuance, is desired as authorized by Rule 3104(a). When the writ issues to another county indexing is required as of course in that county by the prothonotary. See Rule 3104(b).
 Paragraph (4) (b) should be completed only if real property in the name of a garnishee is attached and indexing as a lis pendens is desired. See Rule 3104(c).

second part, its successors, and assigns, ALL that tract situate in Conyngham Township, Columbia County, Pennsylvania, bounded, limited and described as follows, to wit:

BEGINNING at a point at the southwest corner of this conveyance, said point also being the intersection of this conveyance and the Pagnotti Coal Company and Elcon Construction Company properties; thence along the division line of this conveyance and Elcon Construction Company North six degrees forty-five minutes (N 6°45'W) West three thousand seven hundred eighty feet (3780.0') more or less to a point, said point being the northwest corner of this conveyance; thence still along the division line of Elcon Construction Company North eighty-one degrees twenty-five minutes (N 81°25'E) East two thousand four hundred twenty feet (2420.0') more or less to a point, said point being the northeast corner of this conveyance; thence along the division line of this conveyance and other land of said Grantor South six degrees forty minutes (S 6°40'E) East three thousand nine hundred seventy and ninety-one hundredths feet (3970.91') more or less to a point, said point being the southeast corner of this conveyance and also the north line of aforesaid Pagnotti Coal Company property; thence along the north line of Pagnotti Coal Company South eighty-five degrees fifty-seven minutes (S 85°57'W) West two thousand four hundred twenty feet (2420.0') more or less to place of beginning.

CONTAINING 215.13 Acres.

EXCEPTING all areas shaded in green which are as follows:

1. Lehigh Valley Railroad
2. Helker Construction Company
3. Deed not recorded
4. Part of Mt. Carmel Dist. Industrial Fund Inc.
5. Pa. Rt. No. 61
6. Joseph J. and Florence Deluca
7. Mt. Carmel Water Company
8. Mt. Carmel Gas Company
9. Stephen P. and Dorothy Jepko

LEAVING approximately 150 Acres.

BEING a portion of the Peter Dehaven Tract and a portion of the John Whiteman Tract.

Served the within Writ of Execution

upon J. L. & J. Coal Company, Inc.

the within named defendants by handing to and leaving with Richard C. Fox, Esq.

a true and attested copy of the same at 141 East Market Street, York, Pa.

at 12:30 O'clock p. M., August 25, 1975

and informed him of the contents thereof.

Sheriff's Costs \$ 22.23 Paid

So Answers.

Sworn to this 4th day of

September, 19 75.

Georgene M. Zeffner

Richard C. Fox
Sheriff of YORK COUNTY

~~Prothonotary~~

NOTARY PUBLIC
City of York, York Co., Pa.
My Commission Expires February 2, 1976

SHERIFF'S OFFICE

Bloomsburg, Columbia County, Pa.

Sheriff: Victor B. Vandling
Columbia County

Date: August 12, 1975.

Michael Stabile

vs.

J. L. and J. Coal Company, Inc.

Term:

No. 39 of 1975

Year:

To the Sheriff of York County.

Dear Sir:

Enclosed please find writ of Execution

to be served upon J. L. & J. Coal Company, Inc., c/o Richard C. Fox, Esquire,
at 141 E. Market Street, York, Pennsylvania, in your county.

Kindly make service thereof, and return with the amount of your costs.

Yours truly,

Victor B Vandling
Sheriff of Columbia County

To the Honorable, the Judges within named:

I HEREBY CERTIFY AND RETURN, That in obedience to and by virtue of the within writ, to me directed, I seized and took into execution the within described real estate, and after having given due legal and timely notice of the time and place of sale, by advertisements in divers public newspapers and by handbills set up in the most public places in my bailiwick, I did on Friday the 12th day of December 19 75, at 2:00 o'clock P. M., of said day at the Court House, in the Town of Bloomsburg, Pa., expose said premises to sale at public vendue or outcry, when and where I sold the same to Michael Stabile for the price or sum of Twenty-Two Thousand and Five Hundred Dollars \$22,500.00 Dollars being the highest and best bidder, and that the highest and best price

bidden for the same; which I have applied as follows, viz: To costs

Amount Due	40,000.00
Interest from May 8, 1975	1,209.80
Atty. Comm.	4,000.00
Frothy. Paid	10.00
Judgement Fee	6.50
Atty. Fee	3.00
Sat.	3.00
Sheriff Vaudling	205.13
Docket & Levy	7.50
Sale	3.00
Advertising	3.00
Sheriff Mileage	9.75
Posting Bills	5.00
Poundage	127.50
Sheriff York County	22.23 (Pd. by Sheriff of Columbia Co.)
Sheriff Monroe County	27.15 (Pd. by Sheriff of Columbia Co.)
Frothonotary Peterson Deed \$3.00 - List of Liens \$5.50	8.50
The Morning Press (Advertising)	68.40
Barwick Enterprise (Advertising)	68.40
C. William Henrie (Printing Sale Bills)	13.00
Register & Recorder	460.00
Deed	7.50
Search	1.50
xxxxxx State Stamps	225.00
Realty Transfer	225.00
Affidavit	1.00

Bureau of Corporation Taxes (Certified Proof of Claim) 582.60

Michael Stabile Plaintiff.

vs.

J. L. & J. Coal Company, Inc., Defendant.

No. 39 of 1975 E.D.

No. 46 November Term 1974 J.D.

Sheriff's Office, Bloomsburg, Pa.

December 12, 1975

So answers

Kuter B Vandal Sheriff

December 10, 1975

JUD-JEFF-Mc
Box No. 9618-93

Victor E. Vandling
Sheriff of Columbia County
Sheriff's Office
Bloomsburg, Penna. 17815

Re: J. L. & J. Coal Co. Inc.

Dear Sir:

We are enclosing a Certified Proof of Claim in the amount of \$502.60 to be presented at Sheriff Sale scheduled to be held under date of December 12, 1975. Under the provisions of Section 1402 of the Pennsylvania Fiscal Code, this Certified Statement must be publicly read, at and immediately before this sale.

Please forward your remittance to this Bureau and acknowledge receipt of the enclosures to the attention of the undersigned.

Very truly yours,

Joan W. Wener, Supervisor
Judicial Section

For: Peter Capataides, Director
Bureau of Corporation Taxes

*Checks sent
3-15-76*

State of Pennsylvania }
County of Columbia } ss.

LUCILLE B. WHITMIRE

I, ~~Frank Beishke~~, Recorder of Deeds, &c. in and for said County, do hereby certify that I have carefully examined the Indices of mortgages on file in this office against

J. L. & J. Coal Company, Inc.

and find as follows:

NONE

Fee .. \$1.50.



In testimony whereof I have set my hand and seal of office this 26th day of November A.D., 1975

Lucille B. Whitmire
RECORDER
Mary A. Slack, Copy

LIST OF LIENS

VERSUS

J. L. & J. Coal Co., Inc.

Court of Common Pleas of Columbia County, Pennsylvania.

Michael Stabile

versus

J. L. & J. Coal Co., Inc.

No. 46 of Nov. Term, 1974
Real Debt \$ 40,000.00
Interest from 11-8-74
Commission
Costs
Judgment entered November 12, 1974
Date of Lien Nov. 8, 1974
Nature of Lien Note

versus

No. of Term, 19
Real Debt \$
Interest from
Commission
Costs
Judgment entered
Date of Lien
Nature of Lien

versus

No. of Term, 19
Real Debt \$
Interest from
Commission
Costs
Judgment entered
Date of Lien
Nature of Lien

versus

No. of Term, 19
Real Debt \$
Interest from
Commission
Costs
Judgment entered
Date of Lien
Nature of Lien

versus

No. of Term, 19
Real Debt \$
Interest from
Commission
Costs
Judgment entered
Date of Lien
Nature of Lien

WRIT OF EXECUTION - (MONEY JUDGEMENTS) Rules P.R.C.P. 3101 to 3149

.....
MICHAEL STABILE.....
 vs
J. L. & J. COAL CO., INC.....

No. ...99...E...1975..... Term 19.....E.D.
 No. ...46...November..... Term 19.74...J.D.
 No. Term 19.....

**WRIT OF EXECUTION
 (MONEY JUDGEMENTS)**

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF COLUMBIA.....
 TO THE SHERIFF OF YORK..... COUNTY, PENNA.

To satisfy the judgement, interest and costs against...J. L. & J. COAL CO., INC.,... 141 E. MARKET
 STREET, YORK, PENNSYLVANIA 17405 AND P.O. Box 474, NY, FORDON, PENNA,..... Defendant (s);

- (1) You are directed to levy upon the property of the defendant (s) and to sell his, her (or their) interest therein; (Inquisition and Exemption Laws waived and Condemnation agreed to)
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of
- as Garnishee (s)
- (Specifically describe property)

(PROPERTY DESCRIPTION ATTACHED)

- and to notify the Garnishee (s) that
- (a) an attachment has been issued;
 - (b) the garnishee (s) is enjoined from paying any debt to or for the account of the defendant (s) and from delivering any property of the defendant (s) or otherwise disposing thereof.
 - (3) If the property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee (s), you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount due	\$49,000.00.....
ATTY. COMM.	4,000.00
Interest from 5/8/75	1,200.00.....
Total	\$54,200.00.....

Plus costs as per endorsement hereon.
[Signature]
 Prothonotary, Court of Common Pleas of
 Columbia County, Penna.

Dated ...August 11, 1975.
 (SEAL)

By:
 Deputy

Sherriff vs Michael Stable

J. L. J. Coal Company Inc

No. 39 of 1975 E.D.

No 46 November Term 1964 J.D.

Sherriff Vending		205.13
Books & Lang	7.50	
Sales	3.00	
Advertising	3.00	
Sherriff Mileage	9.75	
Posting Bills	5.00	
Boundaries	127.50	
Sherriff - York County	22.23	(100 Sherriff of Columbus Co)
Sherriff - Monroe County	27.15	(100 Sherriff of Columbus Co)
Southwestern Telecom		8.50
Road	3.00	
List of names	5.50	
The Morning News (Advertising)		68.40
C. William Hendon (Posting Selected)		18.00
People's Herald		460.00
Deed	7.50	
Seal	1.50	
State Stamps	225.00	
Realty Transfer	225.00	
affidavit	1.00	
Bureau of Corporation Taxes		
(Cashier's Proof of Claim)		582.60
		<hr/> #1411.03

Sold to Michael Stable
 Brookside Farm
 R. 5, Newton New Jersey, 07860