

SHERIFF'S SALE

Distribution Sheet

Mellon Bank, N.A. (United Perm Bank)

VS. Wayne Gaboury

NO. 454-CV-1997 JD

DATE OF SALE: OCTOBER OCT. 28, 1999

NO. 90-1999 ED

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 (date) OCTOBER 28, 1999 and (time) 11:00 AM, of said day at the Court House, in the Town of Bloomsburg, Pennsylvania, expose said premises to sale at public vendue or outcry, when and where I sold the same to Sadie Rose and D. Galen Smith for the price or sum of \$34,552.89 ~~Thirty-four thousand, five hundred fifty-two & 89/100~~ Dollars. being the highest and best bidder, and that the highest and best price bidden for the same; which I have applied as follows:

Bid Price	\$	<u>33,000.00</u>	
Poundage		<u>660.00</u>	
Transfer Taxes		<u>892.89</u>	
Total Needed to Purchase	\$		<u>34,552.89</u>
Amount Paid Down			<u>5,000.00</u>
Balance Needed to Purchase			<u>29,552.89</u>

EXPENSES:

Columbia County Sheriff - Costs	\$	<u>476.98</u>	
Poundage		<u>660.00</u>	
Newspaper			<u>411.86</u>
Printing			<u>75.00</u>
Solicitor			<u>10.00</u>
Columbia County Prothonotary			<u>28.50</u>
Columbia County Recorder of Deeds -			<u>892.89</u>
Deed copy work			<u>474.95</u>
Realty transfer taxes			<u>446.00</u>
State stamps			
Tax Collector ()			
Columbia County Tax Assessment Office			<u>5.00</u>
State Treasurer Deputy Sheriff's Training & Education Fund			<u>128.00</u>
Other: <u>Millville Sewer Authority</u>			<u>528.88</u>

TOTAL EXPENSES: \$ 3,217.11

Total Needed to Purchase	\$	<u>34,552.89</u>
Less Expenses		<u>3,217.11</u>
Net to First Lien Holder		<u>31,335.78</u>
First Lien Holder-Judgment Plus Deposit Interest		<u>18,669.71</u>
Total to First Lien Holder IRS	\$	<u>12,666.07</u>

Sheriff's Office, Bloomsburg, Pa. }

So answers

Harry A. Roadarmel Jr.
Harry A. Roadarmel Jr.

Sheriff

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY

COURT HOUSE - P.O. BOX 380

BLOOMSBURG, PA 17815

FAX: (717) 784-0257

PHONE
(717) 389-5622

24 HOUR PHONE
(717) 784-6300

SHERIFF'S REAL ESTATE FINAL COST SHEET

Mellen Kline VS Wayne G. Smith
NO. 90-99 E.D. NO. 454-97 J.D.

DATE OF SALE: 10-28-90

BID PRICE (INCLUDES COSTS)

\$ 33,000.00

POUNDAGE--2% OF BID PRICE

\$ 660.00

TRANSFER TAX 2%, FAIR MARKET PRICE

\$- 892.89

MISC. COSTS

\$

TOTAL AMOUNT NEEDED TO PURCHASE

\$34,352.89

PURCHASER(S): D. GAVEN & S. R. Smith

ADDRESS: 2134 State Rt. 42

NAME(S) ON DEED: D. GAVEN & S. R. Smith

PURCHASER(S) SIGNATURE(S): [Signature]

AMOUNT RECEIVED BY PURCHASER:

TOTAL AMOUNT DUE \$ 34,352.89

LESS DEPOSIT \$

DOWN PAYMENT \$

TOTAL DUE IN EIGHT DAYS \$ 29,552.89

D. GAVEN
S. R. Smith

458-3130

REAL ESTATE
SHERIFF'S SALE--COST SHEET

Mellon Bank vs Wayne Garvey
NO. 25-77 E.D. NO. 454-77 J.D. DATE OF SALE 10-28-99 TIME OF SALE 11:00

DOCKET AND RETURN	\$ 15.00
SERVICE PER DEFENDANT OR GARNISHEE	225.00
LEVY (PER PARCEL)	25.00
MAILING COSTS	31.48
ADVERTISING, SALE BILLS, & COPIES	17.50
ADVERTISING SALE (PLUS NEWSPAPER)	15.00
MILEAGE	12.50
POSTING HANDBILLS	15.00
CRYING/ADJOURN SALE (EACH SALE)	10.00
SHERIFF'S DEED	35.00
TRANSFER TAX FORM	75.00
DISTRIBUTION FORM	25.00
OTHER <u>copies</u>	5.50
<u>Notary</u>	20.00

TOTAL.....\$ 476.93

PRESS-ENTERPRISE INC	\$ 411.86
SOLICITOR'S SERVICES	75.00

TOTAL.....: 486.86

PROTHONOTARY (NOTARY)	\$ 10.00
RECORDER OF DEEDS	78.50

OTHER

TOTAL.....38.50

REAL ESTATE TAXES:

BOROUGH, TWP. & COUNTY TAXES, 19	\$
SCHOOL DISTRICT TAXES, 19	\$
DELINQUENT TAXES, 19, 19	\$ 5.00

TOTAL.....5.00

MUNICIPAL FEES DUE:

SEWER--MUNICIPAL <u>10/1/99</u>	\$ 528.88
WATER--MUNICIPAL <u>19</u>	\$

TOTAL.....528.88

SURCHARGE FEE: STATE TREASURER (TRAINING FEE)

TOTAL.....128.00

MISCELLANEOUS	\$
	\$

TOTAL.....

TOTAL COSTS (OPEN BID).....11664.22

FEDERMAN AND PHELAN

Suite 900
Two Penn Center Plaza
Philadelphia, PA 19102-1799
215-563-7000
Fax: 215-567-0072

Daniel G. Schmieg, Esquire
Extension 272

Representing Lenders in
Pennsylvania and New Jersey

MEMORANDUM

TO: Office of the Sheriff – Columbia County

ATTN: Real Estate Coordinator

FROM: Daniel G. Schmieg

RE: Gaboury, Wayne and Terry
Premises: 438 State Street
Milville, PA 17849
Loan No.: 5800030461
No.: 454-CV-1997

DATE: November 11, 1999

This letter will confirm that the above-captioned property was sold at Sheriff's Sale on October 28, 1999 to a third party for the amount of \$33,000.00.

Kindly forward a copy of the Schedule of Distribution in the envelope enclosed.

I look forward to hearing from you shortly.

Enclosure

cc: Mellon Mortgage Co.
ATTN: Foreclosure Department

MILLVILLE BORO COUNCIL

136 Morehead Ave., POB Box 30,
MILLVILLE, PA 17846
BIRTHPLACE OF NEIL WELLIVER
Phone (570) 458-5709 Fax (570) 458-5669
e-mail murray1@ptd.net

Officers of Council

Jerre Wright, Mayor
Millard Ludwig, President
Roy Bower, Jr. Vice President

Councilors

Dean Gorton
Lee Nilroy
Ronald Welliver
Charles "Rusty" Whitner

March 1, 1999

Harry Roadarmel,
Columbia County Sheriff
POB 380
Bloomsburg, PA 17815

Sheriff:

Reference is made to the mortgage foreclosures of Patrick Davis, Wayne Gaboury and Patricia Bronzburg Herman and the amount due the Boro for sewer and water bills.

Here are the figures effective 9/30/99:

Patrick Davis	\$367.53
Wayne Gaboury	528.88
Patricia Bronzburg Herman	2119.29

Thank you for giving the Boro an opportunity to respond.
Should you have any questions, please contact me.

Murray Holdren
Secretary/Treasurer

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY

COURT HOUSE - P.O. BOX 380

BLOOMSBURG, PA 17815

FAX: (570) 784-0257

Dec. 17, 1999

PHONE
(570) 389-5622

24 HOUR PHONE
(570) 784-6300

TO: Internal Revenue Service--
FROM: Harry A. Roadarmel Jr., Sheriff
SUBJ: Wayne D. Gaboury No. C:SPB AU 25-02803

1. Enclosed is Sheriff's check in the amount of \$12,666.07 as proceeds from the Mortgage Foreclosure--Sheriff's Sale No. 90-99. Sorry there isn't more.. Should there be any further questions please feel free to contact me.

Sincerely,



Harry A. Roadarmel Jr.
Sheriff

Internal Revenue Service**Department of the Treasury**

District
Director

1001 Liberty Ave. 13th fl. Pittsburgh, Pa. 15222

Harry A. Roadarmel, Jr.
Sheriff of Columbia County
Court House- P.O. Box 380
Bloomsburg, Pa. 17815

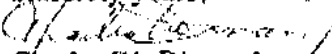
Person to Contact:
Frank Kowalkowski
Telephone Number:
(412)644-5701
Refer Reply to:
C:SPB:AU:25-02803
Date: 12-06-1999

Dear Mr. Roadarmel:

The purpose of this letter is to memorialize our telephone conversation today regarding Wayne D. Gaboury. As you may recall, I verified that the federal tax lien filed in Columbia County is still valid. I also instructed your office to forward any remaining funds from the Sheriff's Sale to our office located at 1001 Liberty Ave. 13th fl. Pittsburgh, Pa. 15222.

Thank you for your cooperation. Should questions arise, Frank Kowalkowski, Advisor, Special Procedures Branch, may be contacted at (412)644-5701.

Sincerely yours,



Charles W. Dinan, Jr.
Chief, Advisory Unit

Internal Revenue Service Department of the Treasury

District
Director

600 Arch Street
Philadelphia, PA 19106

Person to Contact: John Lindinger

Telephone Number: (215) 861-1335

Date: 9-20-89

Dear Sir or Madam:

This is to inform you that correspondence with our Internal Revenue Service Special Procedures Branch should be forwarded to the following address:

Internal Revenue Service
Federated Investors Tower
Thirteenth Floor Suite 1300
1001 Liberty Ave
Pittsburgh PA 15222

412-644-4270
- 3346

The above address is the best address to use for tax issues relating to Sheriff Sales, Mortgage foreclosures, Civil suits, Judgements, and Notice of Federal Tax Liens.

SPB Clerk ~~SPB~~
Badge#23- 06757

215 861-1160
152



IRS
Collection Division
Federated Investors Tower
1001 Liberty Ave. Suite 1300
Pittsburgh, Pa. 15222

FAX TRANSMITTAL COVER SHEET

To: Sheriff Harry A. Roachman

FAX Number:
(570) 784-0257

Date: December 06, 1999

Number of Pages (including cover sheet): 2

From: Frank Kowalkowski

FAX: (412) 644-4576

Voice: (412) 644-5701

Message:

See attached re: Gaboury

Should you have any other questions re federal tax liens
don't hesitate to call.

Thank
F. Kowalkowski
SPB-Adviser

CONFIDENTIALITY NOTICE

This message is intended for the use of the individual or entity to which it is addressed and may contain information that is confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by phone.

WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183 and Rule 3257

Mellon Bank, N.A., s/b/m to

United Penn Bank

vs.

Wayne Gaboury

Commonwealth of Pennsylvania:

County of

TO THE SHERIFF OF COLUMBIA COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following property (specifically described property below):

PREMISES: 438 State Street, Milville, PA 17849
(See Legal Description attached)

IN THE COURT OF COMMON PLEAS OF
COLUMBIA COUNTY, PENNSYLVANIA

No. 90-ED Term 19 99 E.D.
No. 454-CV-1997 Term 19 99 A.D.
No. Term 19 J.D.

WRIT OF EXECUTION
(Mortgage Foreclosure)

Amount Due

\$17,570.30

Interest from 8/20/99 to Sale
at 2.89 per diem

\$199.41 and costs.

17,769.71

100.00

100.00

Fanni B. Kline / ESB
(Clerk) Office of the Prothy Support, Common Pleas Court
of Columbia County, Penna.

Dated 8/24/1999
(SEAL)

\$18,669.12

11
37
27
67

Interest \$199.41

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY

COURT HOUSE - P. O. BOX 380
BLOOMSBURG, PA 17815

PHONE
(717) 389-5622

24 HOUR PHONE
(717) 704-6300

Federman and Phelan
Frank Federman, Esq.
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19102

IN THE COURT OF COMMON PLEAS
OF COLUMBIA COUNTY, COMMONWEALTH
OF PENNA.

NO. 90-1999

WRIT OF EXECUTION

SERVICE ON Clark Smith, Millville Borough Tax Collector

ON Sept. 27, 1999 AT 5:00 PM, A TRUE AND ATTESTED COPY OF
THE WITHIN WRIT OF EXECUTION AND A TRUE COPY OF THE NOTICE OF EXECUTION WAS
SERVED ON THE DEFENDANT, Clark Smith, Millville Borough Tax Collector

AT 419 N. State St. Millville, PA BY DEPUTY SHERIFF

James Arter SERVICE WAS MADE BY HANDING SAID WRIT OF EXECUTION AND
NOTICE OF EXECUTION TO Clark Smith

SO ANSWERS:

J. Arter D/S
DEPUTY SHERIFF

FOR:

Harry A. Roadarmel, Jr.
HARRY A. ROADARMEL, JR. SHERIFF

Sworn and subscribed before me:

this 15th day of

October 1999

Sarah J. Hower
Sarah J. Hower

NOTARIAL SEAL
SARAH J. HOWER, Notary Public
Bloomsburg, Columbia County, PA
My Commission Expires June 21, 2003

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY

COURT HOUSE - P. O. BOX 300
BLOOMSBURG, PA 17815

PHONE
(717) 389-5622

24 HOUR PHONE
(717) 784-6300

Federman and Phelan
Frank Federman, Esq.
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19101

IN THE COURT OF COMMON PLEAS
OF COLUMBIA COUNTY, COMMONWEALTH
OF PENNA.

NO. 90-1999

WRIT OF EXECUTION

SERVICE ON Columbia County Domestic Relations

ON Sept. 20, 1999 AT 10:22 AM, A TRUE AND ATTESTED COPY OF
THE WITHIN WRIT OF EXECUTION AND A TRUE COPY OF THE NOTICE OF EXECUTION WAS
SERVED ON THE DEFENDANT, Columbia County Domestic Relations

AT 700 Sawmill Road Bloomsburg, PA BY Chief
Timothy Chamberlain DEPUTY SHERIFF

SERVICE WAS MADE BY HANDING SAID WRIT OF EXECUTION AND
NOTICE OF EXECUTION TO Lori Carglo, Secretary

SO ANSWERS:

Timothy Chamberlain
DEPUTY SHERIFF

FOR:

Harry A. Roadarmel, Jr.
HARRY A. ROADARMEL, JR SHERIFF

Sworn and subscribed before me

this 15th day of

October 1999

Sarah J. Hower
Sarah J. Hower

NOTARIAL SEAL
SARAH J. HOWER, Notary Public
Bloomsburg, Columbia County, PA
My Commission Expires June 21, 2003

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY

COURT HOUSE - P. O. BOX 380
BLOOMSBURG, PA 17815

PHONE
(717) 389-5622

24 HOUR PHONE
(717) 784-6300

Federman and Phelan
Frank Federman, Esq.
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19102

IN THE COURT OF COMMON PLEAS
OF COLUMBIA COUNTY, COMMONWEALTH
OF PENNA.

NO. 90-1999

WRIT OF EXECUTION

SERVICE ON Millville Borough Sewer & Water Authority

ON Sept. 20, 1999 AT 10:48 AM, A TRUE AND ATTESTED COPY OF
THE WITHIN WRIT OF EXECUTION AND A TRUE COPY OF THE NOTICE OF EXECUTION WAS
SERVED ON THE DEFENDANT, Millville Borough Sewer & Water Authority

AT Moorehead Ave. Millville, PA Chief
BY DEPUTY SHERIFF

Timothy Chamberlain SERVICE WAS MADE BY HANDING SAID WRIT OF EXECUTION AND
NOTICE OF EXECUTION TO Murray Holdren, Twp Secretary

SO ANSWERS:

Timothy Chamberlain
DEPUTY SHERIFF

FOR:

Harry A. Roadarmel, Jr.
HARRY A. ROADARMEL, JR SHERIFF

Sworn and subscribed before me
this 15th day of
October 19 99
Sarah J. Hower
Sarah J. Hower

NOTARIAL SEAL
SARAH J. HOWER, Notary Public
Bloomsburg, Columbia County, PA
My Commission Expires June 21, 2003

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY

COURT HOUSE - P. O. BOX 300
BLOOMSBURG, PA 17815

PHONE
(717) 309-5622

24 HOUR PHONE
(717) 704-6300

Federman and Phelan
Frank Federman, Esq.
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19102

IN THE COURT OF COMMON PLEAS OF
COLUMBIA COUNTY, COMMONWEALTH
OF PENNA.

Mellon Bank, N.A.

VS

Wayne Gaboury

WRIT OF EXECUTION

MORTGAGE FORECLOSURE 90-1999 E.D.

POSTING OF PROPERTY

Monday Sept. 20, 1999 POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE
PROPERTY OF Wayne Gaboury, 438 State St. Millville, PA

COLUMBIA COUNTY, PENNSYLVANIA. SAID POSTING PERFORMED BY COLUMBIA COUNTY

Chief
DEPUTY SHERIFF Timothy Chamberlain.

SO ANSWERS:

Timothy Chamberlain
DEPUTY SHERIFF

Harry A. Roadarmel, Jr.
SHERIFF, HARRY A. ROADARMEL, JR.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 1st

DAY OF October 19 99

Sarah J. Hower
Sarah Hower

NOTARIAL SEAL
SARAH J. HOWER, Notary Public
Bloomsburg, Columbia County, PA
My Commission Expires June 21, 2003

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY

COURT HOUSE - P. O. BOX 380
BLOOMSBURG, PA 17815

PHONE
(717) 389-5622

24 HOUR PHONE
(717) 784-6300

Federman and Phelan
Frank Federman, Esq.
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19102

IN THE COURT OF COMMON PLEAS
OF COLUMBIA COUNTY, COMMONWEALTH
OF PENNA.

NO. 90- 1999

WRIT OF EXECUTION

SERVICE ON Delinquent Tax Bureau

ON Sept. 13, 1999 AT 2:55 PM, A TRUE AND ATTESTED COPY OF
THE WITHIN WRIT OF EXECUTION AND A TRUE COPY OF THE NOTICE OF EXECUTION WAS
SERVED ON THE DEFENDANT, Delinquent Tax Bureau

AT Columbia County Courthouse Bloomsburg, PA BY ~~XXXXXX~~ SHERIFF

Harry A. Roadarmel, Jr SERVICE WAS MADE BY HANDING SAID WRIT OF EXECUTION AND
NOTICE OF EXECUTION TO Dennis Long, Director

SO ANSWERS:

DEPUTY SHERIFF

FOR:

Harry A. Roadarmel, Jr
HARRY A. ROADARMEL, JR SHERIFF

Sworn and subscribed before me:

this 13th day of

October 1999

Sarah J. Hower
Sarah J. Hower

NOTARIAL SEAL
SARAH J. HOWER, Notary Public
Bloomsburg, Columbia County, PA
My Commission Expires June 21, 2003

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY

COURT HOUSE - P.O. BOX 380

BLOOMSBURG, PA 17815

FAX: (570) 784-0257

NOV. 8, 1999

PHONE
(570) 389-5622

24 HOUR PHONE
(570) 784-6300

Internal Revenue Service
Federated Investors Tower
Thirteenth Floor Suite 1300
1001 Liberty Ave.,
Pittsburgh, PA 15222

REF: Wayne D. Gaboury


Dear Sir or Madam:

On October 28, 1999 at 11:00 AM, I sold Real Estate owned by Wayne D. Gaboury as the result of a Mortgage Foreclosure. As the result of this Sale, I have a surplus of monies, and after looking over Judgements filed by the IRS and others against this property, I have determined that the IRS has the following judgements:

SEP 28, 1995	\$22,441.56	IRS lein
MAY 1, 1997	\$ 568.87	IRS lein
JUNE 5, 1997	\$42,496.43	IRS lein
JULY 9, 1998	\$18,657.11	Comm. of Pa. Employee Tax
JULY 9, 1998	\$1,123.72	Comm. of Pa. Employee Tax
AUG 26, 1998	\$88,131.89	IRS lein
NOV 8, 1999	\$19,668.01	IRS lein

I need to know if the 1995, and 1997 leins for IRS have been paid, if not then \$12,666.07 determined a surplus will go elsewhere down the line. Kindly inform me prior to NOV 23, 1999, if your leins are satisfied. Also, the data you need on the check should the money be yours. Enclosed is a copy of the Distribution Sheet on this mortgage foreclosure.

Sincerely,


Harry A. Roadarmel Jr.
Sheriff

STATE OF PENNSYLVANIA
COUNTY OF COLUMBIA } SS

Paula J. Barry, Publisher's Assistant being duly sworn according to law deposes and says that Press Enterprise is a newspaper of general circulation with its principal office and place of business at 3185 Lackawanna Avenue, Bloomsburg, County of Columbia and State of Pennsylvania, and was established on the 1st day of March, 1902, and has been published daily continuously in said Town, County and State since the day of its establishment: that hereto attached is a copy of the legal notice or advertisement in the above entitled proceeding which appeared in the issue of said newspaper on October 7, 14, 21, 1999 exactly as printed and published; that the affiant is one of the owners and publishers of said newspaper in which legal advertisement or notice was published; that neither the affiant nor Press Enterprise is interested in the subject matter of said notice and advertisement and that all of the allegations in the foregoing statement as to time, place, and character of publication are true.

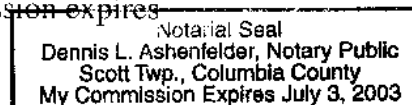
PAJ

Sworn and subscribed to before me this 31st day of October, 1999.

[Signature]

(Notary Public)

My commission expires



Member, Pennsylvania Association of Notaries

And now,....., 19....., I hereby certify that the advertising and publication charges amounting to \$.....for publishing the foregoing notice, and the fee for this affidavit have been paid in full.

.....

FEDERMAN AND PHELAN**By: Frank Federman, Esquire****Attorney I.D. No.: 12248****Two Penn Center Plaza, Suite 900****Philadelphia, PA 19102****(215) 563-7000****Attorney for Plaintiff**

Mellon Bank, N.A., s/b/m to United Penn Bank :
1775 Sherman Street, Suite 2300 :
Dever, Co 80203-4302 :

COLUMBLA COUNTY
COURT OF COMMON PLEAS

Plaintiff,**CIVIL DIVISION****v.****NO. 454-CV-1997**

Wayne Gaboury
32464 Crown Valley Parkway
Dana Point, CA 92629

Defendant(s).

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No.1)

Mellon Bank, N.A., s/b/m to United Penn Bank, Plaintiff in the above action, by its attorney, **FRANK FEDERMAN, ESQUIRE**, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **438 State Street, Milville, PA 17849**.

1. Name and address of Owner(s) or reputed Owner(s):

NAME

LAST KNOWN ADDRESS (If address cannot be
 reasonably ascertained, please so indicate.)

Wayne Gaboury

32464 Crown Valley Parkway
Dana Point, CA 92629

2. Name and address of Defendant(s) in the judgment:

NAME

LAST KNOWN ADDRESS (If address cannot be
 reasonably ascertained, please so indicate.)

Same as above

3. Name and address of every judgment creditor whose judgment is a record lien on the real property to be sold:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

Commonwealth of PA., Dept. of
Revenue

P.O. Box 8901

Harrisburg, PA 17105

USA-IRS

610 Market Street

Philadelphia, PA 19105

Concord Financial Services, Inc.

P.O. Box 9002

Melville, NY 11747

United States Dept. of Justice
US Attorney - Middle Dist. of PA
Attn: Mary Catherine Frye, Esq.
Assistant United States Attorney

Federal Building 228 Walnut Street

P.O. Box 11754

Harrisburg, PA 17108

USA, Internal Revenue Service
Special Procedures Branch

P.O. Box 12051

Philadelphia, PA 19105

4. Name and address of the last recorded holder of every mortgage of record:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

5. Name and address of every other person who has any record lien on the property:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

Tenant/Occupant

**438 State Street
Milville, PA 17849**

**Domestic Relations
Columbia County**

**Columbia County Courthouse
P.O. Box 380
Bloomsburg, PA 17815**

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

August 20, 1999

Date


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY

COURT HOUSE - P. O. BOX 300
BLOOMSBURG, PA 17815

PHONE
(717) 389-5622

TELEFAX
(717) 784-6300

Date: Sep. 13, 1999

To: Tenant/Occupant
438 State St
Millville, Pa

Re: Mellon Bank, N.A. VS. Wayne Gaboury

No: 90 of 1999 ED

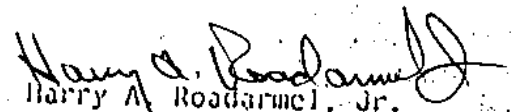
No: 454 of 1997 JD

Dear Sir:

Enclosed is a notice of an upcoming Sheriff's Sale. If you have any claims against this property, notify this office IMMEDIATELY.

Please feel free to contact me with any questions you may have.

Respectfully,


Harry A. Roadarmel, Jr.
Sheriff of Columbia County

FEDERMAN AND PHELAN
By: Frank Federman, Esquire
Attorney I.D. No.: 12248
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19102
(215) 563-7000

Attorney for Plaintiff

Mellon Bank, N.A., s/b/m to United Penn Bank
1775 Sherman Street, Suite 2300
Dever, Co 80203-4302
Plaintiff,

v.

Wayne Gaboury
32464 Crown Valley Parkway
Dana Point, CA 92629
Defendant(s).

COLUMBIA COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 454-CV-1997

90-ED-1999

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: Wayne Gaboury
32464 Crown Valley Parkway
Dana Point, CA 92629

This firm is a debt collector attempting to collect a debt. Any information we obtain will be used for that purpose. If you have previously received a discharge in bankruptcy, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

Your house (real estate) at 438 State Street, Milville, PA 17849 is scheduled to be sold at Sheriff's Sale on Oct. 28, 1999, at 11:00 a.m., in the Office of the Sheriff at the Columbia County Courthouse, Bloomsburg, PA 17815, to enforce the Court Judgment of \$17,570.30 obtained by Mellon Bank, N.A., s/b/m to United Penn Bank, (the Mortgagee) against you. If the Sale is postponed, the property will be relisted for Sale.

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:

1. The Sale will be cancelled if you pay to the Mortgagee, Mellon Bank, N.A., s/b/m to United Penn Bank, the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call (215) 563-7000.

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY
COURT HOUSE - P. O. BOX 300
BLOOMSBURG, VA 22815

PHONE
(717) 284-5000
389-5622

TELEGRAM PHONE
(717) 704-6300

Date: Sep. 13, 1999

To: Millville Sewer & Water
Beve Bldg
Millville, VA

52888

Re: Mellon Bank, N.A. VS. Wayne Gaboury

No: 90 of 1999 ED


No: 454 of 1997 JD

Dear Sir:

Enclosed is a notice of an upcoming Sheriff's Sale. If you have any claims against this property, notify this office IMMEDIATELY.

Please feel free to contact me with any questions you may have.

Respectfully,


Harry A. Roadarmel, Jr.
Sheriff of Columbia County

FEDERMAN AND PHELAN
By: Frank Federman, Esquire
Attorney I.D. No.: 12248
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19102
(215) 563-7000

Attorney for Plaintiff

Mellon Bank, N.A., s/b/m to United Penn Bank
1775 Sherman Street, Suite 2300
Dever, Co 80203-4302
Plaintiff,

v.

Wayne Gaboury
32464 Crown Valley Parkway
Dana Point, CA 92629
Defendant(s).

COLUMBIA COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 454-CV-1997

90-ED-1999

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Federman & Phelan
Suite 900
Two Penn Center Plaza
Philadelphia, PA 19102-1799
Phone (215)563-7000
Fax (215)563-5534

Denise Hatfield
Judgment Department, Ext. 283

Representing Lenders in
Pennsylvania and New Jersey

October 13, 1999

Office of the Sheriff
Columbia County Courthouse
670-~~88~~ 784-0257

Re: Mellon Bank, N.A. s/b/m to United Penn Bank v. Wayne Gaboury
No. 454-CV-1997

Dear Sir/Madam:

I received your Affidavits of Service for the above referenced case. However, there are several that look as if they were not served. All of number 3 on the Affidavit Pursuant to Rule 3129 are the ones in question (copy attached). If they were not served we need to postpone the sale scheduled for 10/28/99 and rescheduled for a date not earlier than 45 days from today. Please let me know as soon as possible.

Also, please provide me with a sale date for Paula Mowery, Court No. 99-CV-108. 12.9.99

Should you have any questions, please do not hesitate to contact me. Your assistance in this matter is greatly appreciated.

Very truly yours,

By: *Denise*
Denise Hatfield

/dsh

2. ☐ Restricted Delivery
Consult postmaster for fee.

3. Article Addressed to:
Wayne Gaboury
32466 Crown Valley Parkway
Dana Point, CA 92629

4a. Article Number
Z 052 311893

4b. Service Type
☐ Registered
☐ Express Mail
☒ Return Receipt for Merchandise

5. Received By: (Print Name)
Wayne Gaboury

6. Signature: (Addressee or Agent)
Wayne Gaboury

7. Date of Delivery
9-21-99

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

1. ☒ Complete items 1 and/or 2 additional services.
2. ☒ Complete items 3, 4a, and 4b.
3. ☒ Print your name and address on the reverse of this form so that we can return this card to you.
4. ☒ Attach this form to the front of the mailpiece, or on the back if space does not permit.
5. ☒ Write "Return Receipt Requested" on the mailpiece below the article number.
6. ☒ The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:
Small Business Administration
7 North Wilkes-Barre Blvd
Wilkes-Barre, PA 18702-5241

4a. Article Number
Z052 311892

4b. Service Type
☐ Registered
☐ Express Mail
☒ Return Receipt for Merchandise

5. Received By: (Print Name)
Bill D...
X

6. Signature: (Addressee or Agent)
Bill D...

7. Date of Delivery
9-21-99

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

1. ☒ Complete items 1 and/or 2 additional services.
2. ☒ Complete items 3, 4a, and 4b.
3. ☒ Print your name and address on the reverse of this form so that we can return this card to you.
4. ☒ Attach this form to the front of the mailpiece, or on the back if space does not permit.
5. ☒ Write "Return Receipt Requested" on the mailpiece below the article number.
6. ☒ The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:
U.S. Internal Revenue Service
Special Procedures Branch
P.O. Box 12451
Philadelphia, PA 19105

4a. Article Number
Z 052 311 897

4b. Service Type
☐ Registered
☐ Express Mail
☒ Return Receipt for Merchandise

5. Received By: (Print Name)
John Lindinger

6. Signature: (Addressee or Agent)
John Lindinger

7. Date of Delivery
9-18-99

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

1. ☒ Complete items 1 and/or 2 additional services.
2. ☒ Complete items 3, 4a, and 4b.
3. ☒ Print your name and address on the reverse of this form so that we can return this card to you.
4. ☒ Attach this form to the front of the mailpiece, or on the back if space does not permit.
5. ☒ Write "Return Receipt Requested" on the mailpiece below the article number.
6. ☒ The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:
Office of F.A.I.R.
Dept. of Public Welfare
P.O. BOX 8016
Harrisburg, PA 17105

4a. Article Number
Z052 311 891

4b. Service Type
☐ Registered
☐ Express Mail
☒ Return Receipt for Merchandise

5. Received By: (Print Name)
X

6. Signature: (Addressee or Agent)
...

7. Date of Delivery
SEP 14 1999

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

1. ☒ Complete items 1 and/or 2 additional services.
2. ☒ Complete items 3, 4a, and 4b.
3. ☒ Print your name and address on the reverse of this form so that we can return this card to you.
4. ☒ Attach this form to the front of the mailpiece, or on the back if space does not permit.
5. ☒ Write "Return Receipt Requested" on the mailpiece below the article number.
6. ☒ The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:
INTERNAL REVENUE SERVICE
FEDERATED INVESTOR TOWER
13TH FLOOR, SUITE 1300
1001 LIBERTY AVE.
PITTSBURGH, PA 15222

4a. Article Number
Z052 311 898

4b. Service Type
☐ Registered
☐ Express Mail
☒ Return Receipt for Merchandise

5. Received By: (Print Name)
X

6. Signature: (Addressee or Agent)
...

7. Date of Delivery
9/27/99

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

1. ☒ Addressee's Address
2. ☐ Restricted Delivery
Consult postmaster for fee.

3. Article Addressed to:
United States of America
Internal Revenue Service
610 Market St.,
Philadelphia, PA 19105

4a. Article Number
Z 052 311 894

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

PS Form 3811, December 1994

SENDER:
 ■ Complete items 1 and/or 2 additional services.
 ■ Complete items 3, 4a, and 4b.
 ■ Print your name and address on the reverse of this form so that we can return this card to you.
 ■ Attach this form to the front of the mailpiece, or on the back if space does not permit.
 ■ Write "Return Receipt Requested" on the mailpiece below the article number.
 ■ The Return Receipt will show to whom the article was delivered and the date delivered.

I also will receive the following services (for an extra fee): 90-99
 1. ☒ Addressee's Address
 2. ☐ Restricted Delivery
 Consult postmaster for fee.

3. Article Addressed to:
U.S. Dept. of Justice
U.S. Attorney--Middle District
Federal Bldg., 228 Walnut St.
P.O. Box 117542
Harrisburg, Pa. 17108

4a. Article Number
Z 052 311 896

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
SEP 14 1999

8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X *[Signature]*

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

SENDER:
 ■ Complete items 1 and/or 2 additional services.
 ■ Complete items 3, 4a, and 4b.
 ■ Print your name and address on the reverse of this form so that we can return this card to you.
 ■ Attach this form to the front of the mailpiece, or on the back if space does not permit.
 ■ Write "Return Receipt Requested" on the mailpiece below the article number.
 ■ The Return Receipt will show to whom the article was delivered and the date delivered.

I also will receive the following services (for an extra fee): 90-99
 1. ☐ Addressee's Address
 2. ☒ Restricted Delivery
 Consult postmaster for fee.

3. Article Addressed to:
Concord Financial Services Inc.
P.O. Box 9002
Melville, N.Y. 11747

4a. Article Number
Z 052 311 895

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)
MARVIN H. C. G. A.

6. Signature: (Addressee or Agent)
X *[Signature]*

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

SENDER:
 ■ Complete items 1 and/or 2 additional services.
 ■ Complete items 3, 4a, and 4b.
 ■ Print your name and address on the reverse of this form so that we can return this card to you.
 ■ Attach this form to the front of the mailpiece, or on the back if space does not permit.
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 ■ The Return Receipt will show to whom the article was delivered and the date delivered.

I also will receive the following services (for an extra fee): 90-99
 1. ☒ Addressee's Address
 2. ☐ Restricted Delivery
 Consult postmaster for fee.

3. Article Addressed to:
Commonwealth of Pennsylvania
Department of Revenue
Bureau of Compliance
Clearance Support Section Dept. 281230
Harrisburg, PA 17128-0946

4a. Article Number
Z 052 311 890

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
SEP 14 1999

8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X *Samuel J. Ventura*

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

3. Name and address of every judgment creditor whose judgment is a record lien on the real property to be sold:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

Commonwealth of PA., Dept. of Revenue

P.O. Box 8901

Harrisburg, PA 17105

USA-IRS

610 Market Street

Philadelphia, PA 19105

Concord Financial Services, Inc.

P.O. Box 9002

Melville, NY 11747

**United States Dept. of Justice
US Attorney - Middle Dist. of PA
Attn: Mary Catherine Frye, Esq.
Assistant United States Attorney**

Federal Building 228 Walnut Street

P.O. Box 11754

Harrisburg, PA 17108

**USA, Internal Revenue Service
Special Procedures Branch**

P.O. Box 12051

Philadelphia, PA 19105

4. Name and address of the last recorded holder of every mortgage of record:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

5. Name and address of every other person who has any record lien on the property:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

Tenant/Occupant

**438 State Street
Milville, PA 17849**

**Domestic Relations
Columbia County**

**Columbia County Courthouse
P.O. Box 380
Bloomsburg, PA 17815**

✓

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

August 20, 1999

Date


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

FEDERMAN AND PHELAN
By: Frank Federman, Esquire
Attorney I.D. No.: 12248
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19102
(215) 563-7000

Attorney for Plaintiff

Mellon Bank, N.A., s/b/m to United Penn Bank :
1775 Sherman Street, Suite 2300 :
Dever, Co 80203-4302 :
Plaintiff, :

COLUMBIA COUNTY
COURT OF COMMON PLEAS

v. :

CIVIL DIVISION

Wayne Gaboury :
32464 Crown Valley Parkway :
Dana Point, CA 92629 :
Defendant(s). :

NO. 454-CV-1997

90-ED-1999

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1. The Sale will be cancelled if you pay to the Mortgagee, Mellon Bank, N.A., s/b/m to United Penn Bank, the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call (215) 563-7000.

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 better chance you will have of stopping the Sale. (See the Notice below 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.

1. 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 (215) 563-7000.
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 in the Sale. To find out if this has happened, you may call (215) 563-7000.
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 real estate will be filed by the Sheriff on _____. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reason why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the Schedule of Distribution is filed.
7. You may also have other rights and defenses or ways of getting your home 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE LISTED BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

**COLUMBIA COUNTY
SUSQUEHANNA LEGAL SERVICES
168 EAST 5TH STREET
BLOOMSBURG, PA 17815
(717) 784-8760**

DESCRIPTION

ALL THAT CERTAIN piece, parcel and lot of land situate in the Borough of Millville, Columbia County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a pipe on the Western side of State Street in the Borough of Millville and in line of lands now or formerly of Lee Ridall; thence by the Western line of State Street, South 20 degrees 15 minutes East, 41 feet to a pipe in line of lands now or formerly of William E. Saab; thence South 70 degrees 50 minutes West, 118.5 feet to a pipe in line of lands now or formerly of Harvey Sones; thence by said Sones, North 20 degrees 15 minutes West, 41 feet to a pipe in line of lands now or formerly of Lee Ridall; thence North 70 degrees 50 minutes East, 118.5 feet to the place of beginning. This description is in accordance with a survey made by Howard Fetterolf, R.E., dated October 15, 1951. Whereon is erected a single dwelling house.

BEING Tax Parcel #24-01A-15.

TITLE TO SAID PREMISES IS VESTED IN Wayne Gaboury and Terry Gaboury, his wife, by Deed from Peggy M. Anderson dated 12/5/86 recorded 12/9/86 in Record Book 379 page 794.

Premises being: 438 State Street, Milville, PA 17849

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY

COURT HOUSE - P. O. BOX 300
MIDDMANSBURG, PA 17045

PHONE
(717) 369-5622

TELETYPE PHONE
(717) 704-6700

DATE: Sep 13, 1999

RE: Sheriff's Sale Advertising Dates:

Mellon Bank, N.A. vs. Wayne Gaboury

No. 90 of 1999 FD No. 454 of 1997 JD

Dear Sir:

Please advertise the enclosed SHERIFF SALE on the following dates:

1st week Oct 7, 1999 DATE OF SALE: OCT 28, 1999 at 1100

2nd week Oct 14, 1999

3rd week Oct. 21, 1999

Feel free to contact me if you have any questions.

Respectfully

Harry A. Roadarmel, Jr.
Sheriff

HARRY A. ROADARMEL, JR.

90



SHERIFF OF COLUMBIA COUNTY

COURT HOUSE - P. O. BOX 300

SHERIFF'S OFFICE/RECORDS/SPACE OUTLINE

PHONE
(717) 309-5672

24 HOUR PHONE
(717) 784-6300

RECEIVE AND TIME STAMP WRIT Aug 24, 1999
DOCKET AND INDEX Aug 26, 1999
SET FILE FOLDER UP Aug 26, 1999
CHECK FOR PROPER INFO

WRIT OF EXECUTION 1 - 3 needed

COPY OF DESCRIPTION 7

WHEREABOUTS OF LAST KNOWN ADDRESS 7

NON-MILITARY AFFIDAVIT ✓

NOTICES OF SHERIFF'S SALE 3 - need 15

WATCHMAN RELEASE FORM ✓

AFFIDAVIT OF LIENS LIST ✓

CHECK FOR 900.00 WYCK 0.37710 * 900.00

* IF ANY OF THE ABOVE ARE MISSING DO NOT PROCEED AND FURTHER WITH SALE NOTIFY THE ATTY TO SEND ADDITIONAL INFO

SET SALE DATE AND ADV. DATES AND POSTING DATES Oct. 28, 1999 1100
Post Sep. 25, 1999
Adv. Oct. 7, 11, 21, 1999

POST ALL DATES ON CALANDER

- * SET SALE DATE AT LEAST 2 MONTHS AFTER RECEIVING WRIT
- * SET ADV. DATES 3 THURSDAYS BEFORE SALE DATE TO RUN EVERY THURSDAY TILL SALE 3 TIMES
- * SET POSTING DATE NO LATER THAN 30 DAYS PRIOR TO SALE

SET DISTRIBUTION DATE

- * MUST BE FILED WITHIN 30 DAYS OF SALE (POSTED)
- * MUST BE PAID 10 DAYS AFTER IT HAS BEEN POSTED

FILL IN ALL NO'S ON EXECUTION PAPERS

TYPE PROPER INFO ON DESCRIPTION (refer to previous sales)

SERVICE

TYPE CARDS FOR DEFENDANTS

PUT PAPERS TOGETHER FOR DEFENDANTS

- * COPY OF WRIT FOR EACH DEFENDANT
- * NOTICE OF SHERIFF SALE
- * COPY OF DESCRIPTION

PUT TOGETHER PAPERS FOR LIEN HOLDERS

- * NOTICE OF SALE DIRECTED TO THEM

SEND NOTICES TO LIEN HOLDERS VIA CERT. MAIL OR SENDERS RECEIPT

* DOCKET ALL DATES

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY
COURT HOUSE - P. O. BOX 300
BLOOMSBURG, PA 17015

24 HOUR PHONE
(717) 704-6300(2)

PHONE
(717) 309-5622

SHERIFF'S SALE OUTLINE CONT

SALE BILLS

SEND DESCRIPTION TO PRINTER _____
* THE FOLLOWING NOTICES REQUIRE A LETTER WITH EXPLANATIONS _____
SEND NOTICE TO PRESS DIRECTING WHEN TO ADV. _____
SEND NOTICES TO LOCAL TAX COLLECTORS _____
NOTICES TO WATER AND SEWER AUTH. _____
SEND NOTICES TO FEDERAL AND STATE TAX AUTH _____
IF BUSINESS SEND COPY TO SBA AUTH. _____

HANDBILLS

SEND COPIES OF HANDBILLS TO:
RECORDER'S OFFICE _____
TAX CLAIM OFFICE _____
TAX ASSESSMENT OFFICE _____
PROTH OFFICE(post on board) _____
POST IN FRONT LOBBY _____
POST IN SHERIFF'S OFFICE _____
SEND COPY TO ATTY _____
POST PROPERTY ACCORDING TO DATE SET _____
SEND RETURN OF POSTING TO ATTY _____
DOCKET ALL COSTS _____
PREPARE COST SHEET 2 DAYS BEFORE SALE
* BE SURE ALL COSTS ARE RECEIVED _____
PREPARE FINAL COSTS SHEET DAY OF SALE _____
HOLD SALE _____
POST PROPOSED SCHEDULE OF DISTRIBUTION ACCORDING TO DATE _____
PAY DISTRIBUTION ACCORDING TO DATE _____
* WHEN PAYING INCLUDE ADDRESS OF CHANGE OF OWNER TO WHOM IT MAY CONCERN
RECORD SHERIFF FEES COLLECTED ON MONTHLY REPORT _____
PREPARE DEED AND TAX AFFIDAVIT TO BE RECORDED _____

FEDERMAN AND PHELAN

By: Frank Federman, Esquire

Attorney I.D. No.: 12248

Two Penn Center Plaza, Suite 900

Philadelphia, PA 19102

(215) 563-7000

Attorney for Plaintiff

Mellon Bank, N.A., s/b/m to United Penn Bank

1775 Sherman Street, Suite 2300

Dever, Co 80203-4302

Plaintiff,

v.

Wayne Gaboury

32464 Crown Valley Parkway

Dana Point, CA 92629

Defendant(s).

: COLUMBIA COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 454-CV-1997
: 90-ED-1999
:
:
:
:
:
:

AFFIDAVIT OF NON-MILITARY SERVICE

FRANK FEDERMAN, ESQUIRE hereby verifies that he is the attorney for the Plaintiff in the above-captioned matter and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the Defendant(s) is/are not in the Military or Naval Service of the United States or its Allies or otherwise, within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that Defendant Wayne Gaboury, is over 18 years of age and resides at 32464 Crown Valley Parkway, Dana Point, CA 92629.

This statement is made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

Frank Feder
FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

DESCRIPTION

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BEGINNING at a pipe on the Western side of State Street in the Borough of Millville and in line of lands now or formerly of Lee Ridall; thence by the Western line of State Street, South 20 degrees 15 minutes East, 41 feet to a pipe in line of lands now or formerly of William E. Saab; thence South 70 degrees 50 minutes West, 118.5 feet to a pipe in line of lands now or formerly of Harvey Sones; thence by said Sones, North 20 degrees 15 minutes West, 41 feet to a pipe in line of lands now or formerly of Lee Ridall; thence North 70 degrees 50 minutes East, 118.5 feet to the place of beginning. This description is in accordance with a survey made by Howard Fetterolf, R.E., dated October 15, 1951. Whereon is erected a single dwelling house.

BEING Tax Parcel #24-01A-15.

TITLE TO SAID PREMISES IS VESTED IN Wayne Gaboury and Terry Gaboury, his wife, by Deed from Peggy M. Anderson dated 12/5/86 recorded 12/9/86 in Record Book 379 page 794.

Premises being: 438 State Street, Milville, PA 17849

WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whoever is found in possession, after notifying such person of such levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

[Signature] (SEAL)
(Attorney for Plaintiff(s))

WAIVER OF INSURANCE - Now, 8/26, 1995, the Sheriff is hereby released from all liability to protect the property described in the within named execution by insurance, which insurance is hereby waived.

[Signature] (SEAL)
(Attorney for Plaintiff(s))

HARRY A. ROADARMEL
COLUMBIA County, Pa.

Sheriff

Sir: — There will be placed in your hands

for service a Writ of EXECUTION (REAL ESTATE), styled as

follows: Mellon Bank, N.A., s/b/m to United Penn Bank vs Wayne Gaboury

The defendant will be found at 32464 Crown Valley Parkway, Dana Point, CA 92629

[Signature] Attorney for Plaintiff

If Writ of Execution, state below where defendants will be found, what foods and chattels shall be seized and be levied upon. If real estate, attach five double spaced typed written copies of description as it shall appear on the new deed together with Street and Number of the premises. Please do not furnish us with the old deed or mortgage.

See attached legal description

FEDERMAN & PHELAN
ATTORNEY ESCROW ACCOUNT
TWO PENN CENTER PL. STE 900
PHILADELPHIA, PA 19102

JEFFERSON BANK
PHILADELPHIA, PA - 8-03

60-14603:9
CHECK NO
037710

Pay NINE HUNDRED AND 00/100 DOLLARS

To The
Order
Of Sheriff of Columbia County
35 W Main Street
Bloomsburg, PA 17815

JMB 04-20-1996	
DATE	AMOUNT
8/20/99	*****900.00

Void after 90 days

Frank Federman

⑈037710⑈ ⑆031901482⑆90 28894⑈

Law Offices
FEDERMAN AND PHELAN

Suite 900
Two Penn Center Plaza
Philadelphia, PA 19102-1799
(215) 563-7000
Telecopier # (215) 563-5534
Bankruptcy Telecopier # (215) 568-7616

Media Office
643 North Heilbron
Media, PA 19063
(610) 891-6744

New Jersey Office
Suite 505
Sentry Office Plaza
216 Haddon Avenue
Westmont, New Jersey 08108
(609) 858-5115
Telecopier # (609) 858-9462

Frank Federman
Lawrence T. Phelan
Harold N. Kaplan*
Joan P. Brodsky*
Peter C. Cilio
Rebecca R. Woodside
Leslie E. Puida*
Francis S. Hallinan*
Daniel G. Schmieg
Thomas A. Sabol
Thomas M. Federman*
Michele M. Bradford
Rosemarie Diamond*
Danielle Cascarino*
Lisa D'Angeli*

*Admitted in PA and NJ

Administrator
Donald E. Goodman

**THIS NOTICE IS SENT TO YOU IN AN ATTEMPT
TO COLLECT THE INDEBTEDNESS REFERRED TO
HEREIN AND ANY INFORMATION OBTAINED
FROM YOU WILL BE USED FOR THAT PURPOSE**

Office of the Sheriff
Columbia County Courthouse
P.O. Box 380
Bloomsburg, PA 17815

RE: MELLON BANK, N.A.
(S/B/M TO UNITED PENN BANK)
vs.
WAYNE GABOURY

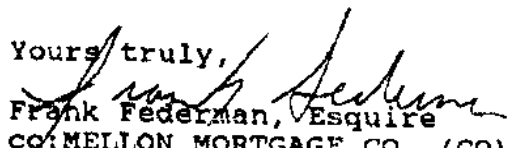
NO. \$454-CV-1997

Dear Sir or Madam:

Please **STAY** the Sheriff's Sale on the above captioned due to Defendant **WAYNE GABOURY** filed Chapter 13 Bankruptcy (97-01227JJT-5).

Please return the Writ and send us a breakdown of costs as soon as possible.

Yours truly,


Frank Federman, Esquire
cc: MELLON MORTGAGE CO. (CO). ATTN: FORECLOSURE DEPT--
Account No. # 47497

FORM B91 12/94 United States Bankruptcy Court MIDDLE DISTRICT OF PENNSYLVANIA Case Number: 97-01227JJT-5		NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 13 OF THE BANKRUPTCY CODE, MEETING OF CREDITORS, AND FIXING OF DATES	
In re (Name of Debtor) GABOURY, WAYNE DOUGLAS, SR.		Address of Debtor PO BOX 586 MILLVILLE, PA 17846	Soc. Sec./Tax ID Nos. SSN:094-38-1472 EIN:23-2493205 SSN: EIN:
		Date Filed April 25, 1997	
Addressee: ROBERT SPIELMAN 29 E MAIN ST BLOOMSBURG, PA 17815-1898		Address of the Clerk of the Bankruptcy Court 217 Max Rosenn U.S. Courthouse 197 South Main Street Wilkes-Barre, PA 18701	
Name and Address of Attorney for Debtor ROBERT SPIELMAN, ESQ 29 EAST MAIN STREET BLOOMSBURG, PA 17815		Name and Address of Trustee CHARLES J. DEHART, III, ESQ PO BOX 410 HUMMELSTOWN, PA 17036	
Telephone Number (717) 784-7942		Telephone Number (717) 566-6097	
DEADLINE TO FILE A PROOF OF CLAIM For creditors other than governmental units: September 29, 1997 For governmental units: October 22, 1997			
DATE, TIME, AND LOCATION OF MEETING OF CREDITORS July 1, 1997, 1:00 P.M., East Mt. Inn, Rt 115, Exit 47A off I-81, 2400 E End Mt Blvd, Wilkes-Barre, PA.			
<p>COMMENCEMENT OF CASE. An individuals' debt adjustment case under chapter 13 of the Bankruptcy Code has been filed in this court by the debtor(s) named above, and an order for relief has been entered. You will not receive notice of all documents filed in this case. All documents filed with the court, including lists of the debtor's property and debts, are available for inspection at the office of the clerk of the bankruptcy court.</p> <p>CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the debtor owes money or property. Under the Bankruptcy Code, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions, repossessions, or wage deductions. Some protection is also given to certain codebtors of consumer debts. If unauthorized actions are taken by a creditor against a debtor, or a protected codebtor, the court may penalize that creditor. A creditor who is considering taking action against the debtor or the property of the debtor, or any codebtor, should review §362 and 1301 of the Bankruptcy Code and may wish to seek legal advice. The staff of the clerk of the bankruptcy court is not permitted to give legal advice.</p> <p>MEETING OF CREDITORS. The debtor (both husband and wife in a joint case) is required to appear at the meeting of creditors on the date and the place set forth above in the box labeled "Date, Time, Location of the Meeting of Creditors" for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may examine the debtor and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to the creditors.</p> <p>PROOF OF CLAIM. Except as otherwise provided by law, in order to share in any payment from the estate, a creditor must file a proof of claim by the date set forth above in the box labeled "Deadline to file a Proof of Claim." The place to file the proof of claim, either in person or by mail, is the office of the clerk of the bankruptcy court. A proof of claim form is on the reverse side. Any creditor who files a secured or priority proof of claim shall serve a true copy of said claim upon the Chapter 13 Trustee, CHARLES J. DEHART, III, ESQ, at the above address.</p> <p>Pursuant to §3070-1 of the Bankruptcy Practice Orders for the Middle District of Pennsylvania Northern Tier, all claims filed by creditors claiming a security interest shall identify: (1) collateral; (2) principal balance; (3) prepetition arrearages; (4) late fees; (5) attorneys fees and foreclosure costs; and (6) postpetition arrearages, if any.</p> <p>PURPOSE OF CHAPTER 13 FILING. Chapter 13 of the Bankruptcy Code is designed to enable a debtor to pay debts in full or in part over a period of time pursuant to a plan. A plan is not effective unless approved by the court. Creditors will be given notice in the event the case is dismissed or converted to another chapter of the Bankruptcy Code.</p> <p>OBJECTIONS TO THE PLAN. Objections to the plan must be filed within thirty (30) days after the §341 (a) meeting has been held. A copy of the proposed plan (or summary) is included. Any objections filed to the plan that are not settled at the meeting under §341 (a) will be set for hearing. If no objections are filed, the court may enter an order confirming the plan.</p> <p>After the 90 day period to file claims has expired, debtor will examine the claims register and draft the schedule of distribution and forward it to the trustee for approval.</p> <p>EFFECTIVE JULY 4, 1995 ALL CASES MATTERS AND PROCEEDINGS PENDING OR THEREAFTER FILED IN THE WILKES-BARRE DIVISION SHALL BE GOVERNED BY THE PROVISIONS OF THE BANKRUPTCY PRACTICE ORDER & FORMS FOR THE NORTHERN TIER OF THE MIDDLE DISTRICT OF PENNSYLVANIA ("B.P.O") AS AMENDED.</p> <p>TO ORDER COPIES OF DOCUMENTS, SEND WRITTEN REQUESTS TO CLERK'S OFFICE AT ABOVE ADDRESS.</p>			
For the Court: Margaret Smith Clerk of the Bankruptcy Court		June 4, 1997 Date	

SADIE ROSE SMITH
D. GALEN SMITH
PH: 570-458-5130
P.O. BOX 285
BLOOMSBURG, PA 17815-0285

DATE July 28 1993 3563
60-8626/2313

PAY TO THE ORDER OF Adrianne Smith \$ 5000.00
1000 DOLLARS

East Main Road



CENTRAL KEYSTONE FEDERAL
CREDIT UNION
SUNBURY, PA 17801-0234

Adrianne Smith
MP

MEMO

1:2313862631: 0000265306 3563

ATM CITY

SADIE ROSE SMITH
D. GALEN SMITH

PH: 570-458-5130
P.O. BOX 285
BLOOMSBURG, PA 17815-0285

DATE

Mar 19 1999

3581

60-66262313

PAY TO THE
ORDER OF

Chickadee Co. Sheriff

\$ **29,552.88**

99

90 DOLLARS

PRINTED AND WRITTEN
ON THIS IN BANK



CENTRAL KEYSTONE FEDERAL
CREDIT UNION
SUNBURY, PA 17801-0234

MEMO

Twenty Nine Thousand Five Hundred Fifty Two

0000265306

3581

Adrian Smith

SHERIFF'S SALE

THURSDAY OCTOBER 28, 1999 AT 11:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 90-1999 AND CIVIL WRIT NO. 454-1997 ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST AND BEST BIDDER, FOR CASH, IN A COURT ROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURT HOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

THAT CERTAIN piece, parcel and lot of land situate in the Borough of Millville, Columbia County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a pipe on the Western side of State Street in the Borough of Millville and in line of lands now or formerly of Lee Ridall; thence by the Western line of State Street, South 20 degrees 15 minutes East, 41 feet to a pipe in line of lands now or formerly of William E. Saab; thence South 70 degrees 50 minutes West, 118.5 feet to a pipe in line of lands now or formerly of Harvey Sones; thence by said Sones, North 20 degrees 15 minutes West, 41 feet to a pipe in line of lands now or formerly of Lee Ridall; thence North 70 degrees 50 minutes East, 118.5 feet to the place of beginning. This description is in accordance with a survey made by Howard Fetterolf, R.E., dated October 15, 1951. Whereon is erected a single dwelling house.

BEING Tax Parcel #24-01A-15.. Property of Wayne Gaboury, 438 State St., Millville, Pa.

TITLE TO SAID PREMISES IS VESTED IN Wayne Gaboury and Terry Gaboury, his wife, by Deed from Peggy M. Anderson dated 12/5/86 recorded 12/9/86 in Record Book 379 page 794.

TERMS OF SALE

Minimum Payment at Time of Sale: The greater of ten (10%) percent of the bid price or costs (opening bid at sale). Minimum payment is to be paid in cash, certified check or cashier's check at time of sale.

Remaining Balance of Bid Price: Any remaining amount of the bid price is to be paid within eight (8) days after the sale in cash, certified check or cashier's check.

IMPORTANT NOTICE FOR FAILURE TO PAY BID PRICE: FAILURE TO PAY THE BID PRICE IN ACCORDANCE WITH THESE TERMS MAY RESULT IN SERIOUS FINANCIAL CONSEQUENCES TO THE BIDDER. DO NOT BID UNLESS FUNDS ARE AVAILABLE FOR PAYMENT WITHIN THE PRESCRIBED TIME PERIOD.

If the successful bidder fails to pay the bid price as per the above terms, the Sheriff may elect either to sue the bidder for the balance due without a resale of the property, or to resell the property at the bidder's risk and maintain an action against the bidder for breach of contract. In the case of a default all sums paid by the bidder will be considered forfeited, but will be applied against any damages recoverable. The defaulting bidder will be responsible for any attorney fees incurred by the Sheriff in connection with any action against the bidder in which the bidder is found liable for damages.

ATTORNEY FOR PLAINTIFF:
FEDERMAN & PHELAN
Frank FEDERMAN, ESQ.
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19102

SHERIFF OF COLUMBIA COUNTY
Harry A. Roadarmel Jr.