

FILE COPY

FEDERMAN AND PHELAN, L.L.P.
ONE PENN CENTER AT SUBURBAN
STATION, SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2001-CV-585

M&T MORTGAGE CORPORATION

v.

CINDY M. CERCONO
A/K/A CINDY CERCONO

COLUMBIA COUNTY

ORDER

AND NOW, this _____ day of _____, _____, after consideration of Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended ONE month(s) to the regularly scheduled COLUMBIA County Sheriff's Sale dated DECEMBER 19, 2001.

No further advertising or additional notice to lienholder or defendant(s) is required.

BY THE COURT: _____

J.

FEDERMAN AND PHELAN, L.L.P.
BY: FRANK FEDERMAN, ESQUIRE
ATTORNEY I.D. NO. 12248
ONE PENN CENTER AT SUBURBAN
STATION, SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2001-CV-585

M&T MORTGAGE CORPORATION

v.

CINDY M. CERCONE
A/K/A CINDY CERCONE

COLUMBIA COUNTY

2001 NOV 14 A 9 52
COLUMBIA COUNTY CLERK


MOTION FOR POSTPONEMENT OF SHERIFF'S SALE

Plaintiff, by its counsel, Federman and Phelan, petitions this Honorable Court for a ONE month postponement of its Sheriff's Sale scheduled in the above captioned matter and in support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for NOVEMBER 14, 2001.
2. Plaintiff has agreed to possibly place mortgagors on a repay plan, which would allow the Defendant(s) to cure the mortgage default.
3. A ONE month postponement of the Sheriff's sale will enable Plaintiff and Defendant(s) to complete negotiations.

WHEREFORE, Plaintiff respectfully requests that the Sheriff's Sale of the mortgaged premises be continued to DECEMBER 19, 2001.

FEDERMAN AND PHELAN

BY: 
FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

FEDERMAN AND PHELAN, L.L.P.
BY: FRANK FEDERMAN, ESQUIRE
ATTORNEY I.D. NO. 12248
ONE PENN CENTER AT SUBURBAN
STATION, SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2001-CV-585

M&T MORTGAGE CORPORATION

v.

CINDY M. CERCONE
A/K/A CINDY CERCONE

COLUMBIA COUNTY

PLAINTIFF'S MEMORANDUM OF LAW

Pennsylvania Rule of Civil Procedure 3129.3 provides for the postponement of a Sheriff's Sale of real property by special order of Court.

In the case sub judicia, a Sheriff's Sale of the mortgaged premises has been scheduled for NOVEMBER 14, 2001. However, a ONE month postponement is requested to allow Plaintiff and Defendant(s) to complete negotiations. Inasmuch as the postponement will inure to the benefit of the Defendant(s), Defendant(s) will not be injured by the granting of the relief requested.

Accordingly, Plaintiff respectfully requests a ONE month continuance of the Sheriff's Sale of the mortgaged premises to the DECEMBER 19, 2001 Sheriff's Sale.

Respectfully submitted:
Federman and Phelan

By: 
FRANK FEDERMAN, Esquire
Attorney for Plaintiff


2001 NOV 14 A 9:52
CLERK OF COURT
COLUMBIA COUNTY

VERIFICATION

Frank Federman, Esquire, hereby states that he is the attorney for the plaintiff in this action, that he is authorized to take this verification, and that the statements made in the foregoing **Motion for Postponement of Sheriff's Sale** are true and correct to the best of his knowledge, information and belief.

The undersigned also understands that this statement herein is made subject to the penalties of 18 Pa. Sec. 4904 relating to unsworn falsification to authorities.

Date: November 8, 2001


FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

FEDERMAN AND PHELAN, L.L.P.
BY: FRANK FEDERMAN, ESQUIRE
ATTORNEY I.D. NO. 12248
ONE PENN CENTER AT SUBURBAN
STATION, SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION
NO: 2001-CV-585

M&T MORTGAGE CORPORATION

v.

CINDY M. CERCONE
A/K/A CINDY CERCONE
901 CHERRY HILL ROAD
BLOOMSBURG, PA 17818

COLUMBIA COUNTY

CERTIFICATION OF SERVICE

I, Frank Federman, Esquire, hereby certify that a copy of the Motion to Postpone Sheriff's Sale relative to the above matter has been sent to the individuals indicated below on November 8, 2001.

CINDY M. CERCONE
A/K/A CINDY CERCONE
901 CHERRY HILL ROAD
BLOOMSBURG, PA 17818


FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

November 8, 2001

2001 NOV 14 A 9 52
CLERK OF COURT
COLUMBIA COUNTY

SHERIFF'S SALE - COST SHEET

VS. Open Bid

E.D. No. 95-1007 J.D. Date of Sale 1/27/20 Time of Sale 1100

DOCKET & RETURN \$ 150.00

SERVICE PER DEFENDANT OR GARNISHEE _____

LEVY (PER PARCEL) _____

MAILING COSTS _____

ADVERTISING, SALE BILLS & COPIES _____

ADVERTISING SALE (PLUS NEWSPAPER) _____

MILEAGE _____

POSTING HANDBILL _____

CRYING/ADJOURN SALE (EACH SALE) (2) 30

SHERIFF'S DEED _____

TRANSFER TAX FORM _____

DISTRIBUTION FORM _____

OTHER _____

TOTAL *****\$ 285.-

Intervention Add.
PRESS-ENTERPRISE INC 150.00

SOLICITOR'S SERVICES 473.16

TOTAL *****\$ 623.16

PROTHONOTARY (NOTARY) \$ 10.00

RECORDER OF DEEDS _____

OTHER _____

TOTAL *****\$ _____

REAL ESTATE TAXES:

BOROUGH, TWP & COUNTY TAXES 20 \$ _____

SCHOOL DISTRICT TAXES 20 10.00

DELINQUENT TAXES 20 10.00

TOTAL *****\$ 20.00

MUNICIPAL FEES DUE:

SEWER- MUNICIPAL 20 \$ _____

WATER- MUNICIPAL 20 _____

TOTAL *****\$ 0.00

SURCHARGE FEE: STATE TREASURER (TRAINING FEE)

TOTAL *****\$ 0.00

MISCELLANEOUS \$ _____

TOTAL *****\$ 1700.00

TOTAL COSTS (OPEN BID) *****\$ 161.84

Refund

FEDERMAN AND PHELAN, L.L.P.
One Penn Center at Suburban Station
1617 John F. Kennedy
Suite 1400
Philadelphia, PA 19103-1814
215-563-7000
Main Fax 215-563-5534
Kristin.demuro@fedphe-pa.com

Kristin M. DeMuro
Legal Assistant, Ext. 1283

Representing Lenders in
Pennsylvania and New Jersey

December 17, 2001

Via Telefax (570) 784-0257

Memorandum

To: Office of the Sheriff
Columbia County

Attn: Real Estate Dept.

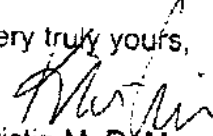
Re: M & T Mortgage Corporation
v. Cindy M. Cercone, a/k/a Cindy Cercone
No. 2001-CV-585
Premises: 901 Cherry Hill Road
Bloomsburg, PA 17818

Dear Sir or Madam:

Please **STAY** the Sheriff's Sale of the above referenced property which is scheduled for **DECEMBER 19, 2001**, return the original writ of execution to the Prothonotary's office and refund any unused money to our office.

Should you have any questions or concerns do not hesitate to contact me.

Very truly yours,


Kristin M. DeMuro

cc: M & T Mortgage Corporation
Attention:
Loan No. 6039945

FEDERMAN AND PHELAN, L.L.P.
ONE PENN CENTER AT SUBURBAN
STATION, SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2001-CV-585

M&T MORTGAGE CORPORATION

v.

CINDY M. CERCONO
A/K/A CINDY CERCONO

COLUMBIA COUNTY

ORDER

AND NOW, this 20th day of November 2001, after consideration of Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended ONE month(s) to the regularly scheduled COLUMBIA County Sheriff's Sale dated DECEMBER 19, 2001.

No further advertising or additional notice to lienholder or defendant(s) is required.

BY THE COURT:

151 Scott W. Naus

J.

Information on the front of this mailpiece or on the return receipt card, if any, must be completed. **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.

2. Restricted Delivery
Consult postmaster for fee.

4a. Article Number
70001530000536268341

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

7. Date of Delivery
AUG 21 2001

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

**SMALL BUSINESS ADMINISTRATION
7 NORTH WILKES-BARRE BLVD
WILKES-BARRE, PA 18702-5241**

5. Received By: (Print Name)
X William J. Dreyfus

6. Signature: (Addressee or Agent)
X William J. Dreyfus

102595-98-B-0229 Domestic Return Receipt

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
 ■ Complete items 1 and/or 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.

COMMONWEALTH OF PENNSYLVANIA 70001530000536268334
DEPARTMENT OF REVENUE-ATTN: SHERIFF SALE
BUREAU OF COMPLIANCE
CLEARANCE SUPPORT SECTION
DEPARTMENT 281230
HARRISBURG PA 17128-1230

I also to receive the following services (for an extra fee): **74-01**
 1. Addressee's Address
 2. Restricted Delivery
 Consult postmaster for fee.

5. Received By: (Print Name)
X Samuel J. Ventura

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

8. Addressee's Address (Only if requested and fee is paid)
AUG 10 2001

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
 ■ Complete items 1 and/or 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.

**OFFICE OF F.A.I.R.
DEPT. OF PUBLIC WELFARE
PO BOX 8016
HARRISBURG, PA 17105**

I also to receive the following services (for an extra fee): **74-01**
 1. Addressee's Address
 2. Restricted Delivery
 Consult postmaster for fee.

5. Received By: (Print Name)
X [Signature]

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

4a. Article Number
70001530000536268327

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

7. Date of Delivery
AUG 10 2001

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
 ■ Complete items 1 and/or 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.

3. Article Addressed to:
**Commonwealth of PA Dept. of Welfare
PO Box 2675
Harrisburg, PA 17105**

I also to receive the following services (for an extra fee): **74-01**
 1. Addressee's Address
 2. Restricted Delivery
 Consult postmaster for fee.

5. Received By: (Print Name)
X Terrence A Doyle

6. Signature: (Addressee or Agent)
X Terrence A Doyle

4a. Article Number
70001530000536268624

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

7. Date of Delivery
AUG 10 2001

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

PS Form 3811, December 1994

102595-98-B-0229 Domestic Return Receipt

FEDERMAN AND PHELAN, L.L.P
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000
Telecopier #: (215) 563-5534

Kristin M. DeMuro
Legal Assistant, Ext. 1283

Representing Lenders in
Pennsylvania and New Jersey

November 8, 2001

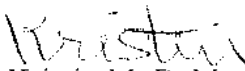
Office of the Sheriff
COLUMBIA County Courthouse
35 w. Main Street
Bloomsburg, PA 17815

Re: M&T MORTGAGE CORPORATION
v. CINDY M. CERCONE A/K/A CINDY CERCONE
2001-CV-585

Dear Sir or Madam,

Enclosed please find a copy of a Motion For Postponement of Sheriff's Sale, which has been sent to a local counsel to be presented to the court. If you have any questions regarding this matter, please contact me directly.

Very truly yours,


Kristin M. DeMuro for
Federman and Phelan

/kmd
enclosure

FEDERMAN AND PHELAN, L.L.P.
ONE PENN CENTER AT SUBURBAN
STATION, SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2001-CV-585

M&T MORTGAGE CORPORATION

v.

CINDY M. CERCONI
A/K/A CINDY CERCONI

COLUMBIA COUNTY

ORDER

AND NOW, this _____ day of _____, _____, after consideration of
Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended ONE month(s) to the regularly scheduled
COLUMBIA County Sheriff's Sale dated DECEMBER 19, 2001.

No further advertising or additional notice to lienholder or defendant(s) is required.

BY THE COURT:

J.

FEDERMAN AND PHELAN, L.L.P.
BY: FRANK FEDERMAN, ESQUIRE
ATTORNEY I.D. NO. 12248
ONE PENN CENTER AT SUBURBAN
STATION, SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2001-CV-585

M&T MORTGAGE CORPORATION

v.

CINDY M. CERCONE
A/K/A CINDY CERCONE

COLUMBIA COUNTY

MOTION FOR POSTPONEMENT OF SHERIFF'S SALE

Plaintiff, by its counsel, Federman and Phelan, petitions this Honorable Court for a ONE month postponement of its Sheriff's Sale scheduled in the above captioned matter and in support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for NOVEMBER 14, 2001.
2. Plaintiff has agreed to possibly place mortgagors on a repay plan, which would allow the Defendant(s) to cure the mortgage default.
3. A ONE month postponement of the Sheriff's sale will enable Plaintiff and Defendant(s) to complete negotiations.

WHEREFORE, Plaintiff respectfully requests that the Sheriff's Sale of the mortgaged premises be continued to DECEMBER 19, 2001.

FEDERMAN AND PHELAN

BY: 
FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

FEDERMAN AND PHELAN, L.L.P.
BY: FRANK FEDERMAN, ESQUIRE
ATTORNEY I.D. NO. 12248
ONE PENN CENTER AT SUBURBAN
STATION, SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2001-CV-585

M&T MORTGAGE CORPORATION

v.

CINDY M. CERCONE
A/K/A CINDY CERCONE

COLUMBIA COUNTY

PLAINTIFF'S MEMORANDUM OF LAW

Pennsylvania Rule of Civil Procedure 3129.3 provides for the postponement of a Sheriff's Sale of real property by special order of Court.

In the case sub judicia, a Sheriff's Sale of the mortgaged premises has been scheduled for NOVEMBER 14, 2001. However, a ONE month postponement is requested to allow Plaintiff and Defendant(s) to complete negotiations. Inasmuch as the postponement will inure to the benefit of the Defendant(s). Defendant(s) will not be injured by the granting of the relief requested.

Accordingly, Plaintiff respectfully requests a ONE month continuance of the Sheriff's Sale of the mortgaged premises to the DECEMBER 19, 2001 Sheriff's Sale.

Respectfully submitted:
Federman and Phelan


By: 
FRANK FEDERMAN, Esquire
Attorney for Plaintiff

VERIFICATION

Frank Federman, Esquire, hereby states that he is the attorney for the plaintiff in this action, that he is authorized to take this verification, and that the statements made in the foregoing **Motion for Postponement of Sheriff's Sale** are true and correct to the best of his knowledge, information and belief.

The undersigned also understands that this statement herein is made subject to the penalties of 18 Pa. Sec. 4904 relating to unsworn falsification to authorities.

Date: November 8, 2001


FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

FEDERMAN AND PHELAN, L.L.P.
BY: FRANK FEDERMAN, ESQUIRE
ATTORNEY I.D. NO. 12248
ONE PENN CENTER AT SUBURBAN
STATION, SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION
NO: 2001-CV-585

M&T MORTGAGE CORPORATION

v.

CINDY M. CERCONO
A/K/A CINDY CERCONO
901 CHERRY HILL ROAD
BLOOMSBURG, PA 17818

COLUMBIA COUNTY

CERTIFICATION OF SERVICE

I, Frank Federman, Esquire, hereby certify that a copy of the Motion to Postpone
Sheriff's Sale relative to the above matter has been sent to the individuals indicated below on
November 8, 2001.

CINDY M. CERCONO
A/K/A CINDY CERCONO
901 CHERRY HILL ROAD
BLOOMSBURG, PA 17818


FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

November 8, 2001

FEDERMAN AND PHELAN, L.L.P.
One Penn Center at Suburban Station
1617 John F. Kennedy
Suite 1400
Philadelphia, PA 19103-1814
215-563-7000
Main Fax 215-563-5534
Kristin.Demuro@fedphe-pa.com

Kristin M. DeMuro
Legal Assistant, Ext. 1283

Representing Lenders in
Pennsylvania and New Jersey

October 10, 2001

Via Telefax (570) 389-5625

October 10, 2001

Memorandum

To: Office of the Sheriff
COLUMBIA County

Attn: Real Estate Dept.


Re: M&T MORTGAGE CORPORATION
v. CINDY M. CERCONE A/K/A CINDY CERCONE
No. 2001-CV-585
Premises: 901 CHERRY HILL ROAD, BLOOMSBURG, PA 17818

Dear Sir or Madam:

Per our client's request, please **POSTPONE** the Sheriff's Sale of the above referenced property, which is scheduled for **OCTOBER 10, 2001**. Please relist the property for the **NOVEMBER 14, 2001** sale.

Should you have any questions or concerns do not hesitate to contact me.

Very truly yours,


Kristin M. DeMuro

cc: File

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY
COURT HOUSE - P.O. BOX 380
BLOOMSBURG, PA 17815
FAX: (570) 389-5625

PHONE
(570) 389-5622

24 HOUR PHONE
(570) 784-6300

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

M&T MORTGAGE CORPORATION

VS.

CINDY M. CERCONE

WRIT OF EXECUTION #74 OF 2001 ED

POSTING OF PROPERTY

FRIDAY SEPTEMBER 7, 2001 POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE
PROPERTY OF CINDY M. CERCONE AT 901 CHERRY HILL RD BLOOMSBURG COLUMBIA
COUNTY PENNSYLVANIA. SAID POSTING PERFORMED BY COLUMBIA COUNTY DEPUTY
SHERIFF J. ARTER.

SO ANSWERS:

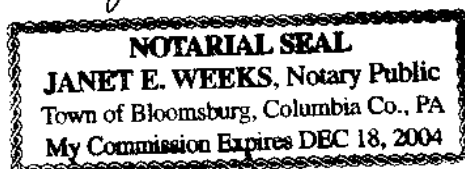
DEPUTY SHERIFF

SHERIFF, HARRY A ROADARMEL, JR.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 14TH DAY OF SEPTEMBER, 2001

Janet E. Weeks



HILL & HILL LLP
Attorneys at Law

*16 West Main Street
Bloomsburg, PA 17815*

September 10, 2001

*P. Jeffrey Hill
Susan M. Hill
W. Kim Hill*

Harry Roadarmel, Sheriff
Columbia County Courthouse
Main Street
Bloomsburg, PA 17815

**RE: M&T Mortgage Corporation v. Cindy M. Cercone
NO. 74 of 2001 E.D. and NO. 585 of 2001 J.D.**

Dear Sheriff Roadarmel:

On behalf of the Scott Township Authority, please be advised that of the sale date on October 10, 2001, the Scott Township Authority will be owed \$145.61 for sewer user fees. Please add this amount to the costs at the time of the sale.

Very truly yours,

Hill & Hill, LLP



P. Jeffrey Hill, Esquire

PJH/ts

cc. Sharon Keller, Scott Township Authority

FEDERMAN AND PHELAN, L.L.P.
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
215-563-7000
Main Fax 215-563-5534
Kristin.demuro@fedphe-pa.com

**SHERIFF'S
COPY**

August 30, 2001

Office of the Sheriff
COLUMBIA County Courthouse

RE: M&T MORTGAGE CORPORATION
V. CINDY M. CERCONI, A/K/A CINDY CERCONI
COLUMBIA COUNTY, NO. 2001-CV-585

RE: AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129


Dear Sir or Madam:

Enclosed please find the following:

XX Affidavit of service pursuant to rule 3129 with attachments.

Please find attached a copy of the original Affidavit of service pursuant to rule 3129, which has been sent for filing with the COLUMBIA County Prothonotary's Office as of the date of this letter.

Yours truly,


Kristin M. DeMuro
for Federman and Phelan

*****PROPERTY IS LISTED FOR THE OCTOBER 10, 2001 SHERIFF'S SALE.*****

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA

RE: M&T MORTGAGE CORPORATION) CIVIL ACTION
)

vs.

CINDY M. CERCONE,
A/K/A CINDY CERCONE) CIVIL DIVISION
) NO. 2001-CV-585

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF COLUMBIA) **SS:**

I, FRANK FEDERMAN, ESQUIRE attorney for **M&T MORTGAGE CORPORATION** hereby verify that on AUGUST 21, 2001 true and correct copies of the Notice of Sheriff's sale were served by certificate of mailing to the recorded lienholders, and any known interested party see Exhibit "A" attached hereto. Notice of Sale was sent to the Defendant(s) on AUGUST 21, 2001 by certified mail return receipt requested see Exhibit "B" attached hereto.

DATE: August 30, 2001

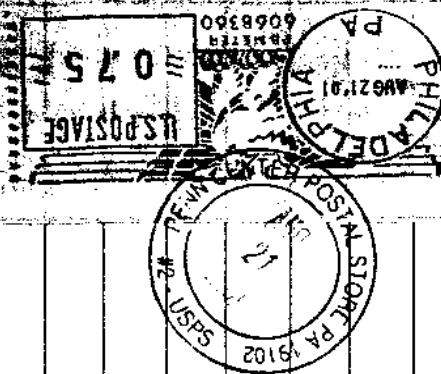

FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

Name and Address of Sender



FEDERMAN & PHELAN
 One Penn Center at Suburban Station, Suite 1400
 Philadelphia, PA 19103

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		TENANT/OCCUPANT 901 CHERRY HILL ROAD BLOOMSBURG, PA 17818		
2		DOMESTIC RELATIONS OF COLUMBIA COUNTY COLUMBIA COUNTY COURTHOUSE, P.O. BOX 380 BLOOMSBURG, PA 17815		
3		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE, P.O. BOX 2675 HARRISBURG, PA 17105		
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
		Re: CERCONO, CINDY		
		KMD		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900,S913 and S921 for limitations of coverage.



TEAM 3

7106 4575 1294 4768 9483

TO: CINDY M. CERCONE,
A/K/A CINDY CERCONE
901 CHERRY HILL ROAD
BLOOMSBURG, PA 17818

SENDER: KMD

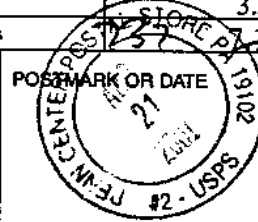
REFERENCE: SALES/6039945

PS Form 3800, June 2000

RETURN RECEIPT SERVICE	Postage	.34
	Certified Fee	2.10
	Return Receipt Fee	1.50
	Restricted Delivery	3.20
	Total Postage & Fees	7.14

US Postal Service
**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail



HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY
COURT HOUSE - P.O. BOX 380
BLOOMSBURG, PA 17815
FAX: (570) 784-0257

PHONE
(570) 389-3422

24 HOUR PHONE
(570) 784-4300

M&T MORTGAGE CORPORATION

Docket # 74ED2001

VS

EXECUTION MORTGAGE FORECLOSURE

CINDY M. CERCONO

AFFIDAVIT OF SERVICE

NOW, THIS 13TH DAY OF AUGUST 2001, AT 10:24 AM, SERVED THE WITHIN EXECUTION MORTGAGE FORECLOSURE UPON CINDY M. CERCONO AT 901 CHERRY HILL ROAD BLOOMSBURG, PA 17815 BY HANDING TO CINDY M. CERCONO A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SO ANSWERS,

SWORN AND SUBSCRIBED BEFORE ME
THIS WEDNESDAY, AUGUST 22, 2001

X _____
SHERIFF HARRY A. ROADARMEL JR.

NOTARY PUBLIC
SARAH J. HOWER



DEPUTY SHERIFF
J. ARTER

HARRY A. ROADARMEL, JR.

74-01



SHERIFF OF COLUMBIA COUNTY
COURT HOUSE - P.O. BOX 380
BLOOMSBURG, PA 17815
FAX: (570) 784-0257

PHONE
(570) 389-5622

24 HOUR PHONE
(570) 784-6300

SHERIFF'S SALE REAL ESTATE OUTLINE

RECEIVED AND TIME STAMP WRIT 7-24-01

DOCKET AND INDEX 8-9-01

SET FILE FOLDER UP 8-9-01

CHECK FOR PROPER INFO

WRIT OF EXECUTION 2

COPY OF DESCRIPTION 6

WHEREABOUTS OF LAST KNOWN ADDRESS

NON-MILITARY AFFIDAVIT _____

NOTICES OF SHERIFF'S SALE

WATCHMAN RELEASE FORM

AFFIDAVIT OF LEINS LIST

CHECK FOR \$1200.00 CK# 145680

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

SET SALE DATE AND ADV. DATES AND POSTING DATES Sale October 10, 2001 at 11:00 AM

POST ALL DATES ON CALANDER Post 9-7 Adv 9-19, 26 + 10-3

- * SET SALE DATE AT LEAST 2 MONTHS AFTER RECEIVING WRIT
- * SET ADV. DATES 3 THURSDAYS BEFORE SALE DATE TO RUN EVERY THUR. 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 LEIN HOLDERS _____

*NOTICE OF SALE DIRECTED TO THEM

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

* DOCKET ALL DATES

ONCE DEFENDANTS ARE SERVED DOCKET COSTS AND INFO _____

SEND ATTY RETURN OF SERVICE AND COPY OF SENDERS RECEIPTS FOR LEIN HOLDERS _____

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 FEDERAL AND STATE TAX AUTH. _____

NOTICES TO WATER AND SEWER 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 _____

WHEN DEED IS RECORDED SEND TO BUYER _____

FILE FOLDER _____

SHERIFF'S SALE

WEDNESDAY OCTOBER 10, 2001 AT 11:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 74 OF 2001 ED AND CIVIL WRIT NO. 585 OF 2001 JD 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 BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF' OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

ALL THAT CERTAIN lot, piece or parcel of land lying and being situate in Scott Township, Columbia County , Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the Northerly side of Cherry Hill Road and in line of lands of Lot No. 7; THENCE along Lot No.7, North 37 degrees West 225 feet to a point in line of other lands now or late of John W. Robison and Harriette D. Robison, his wife; THENCE along other lands now or late of the said John W. Robison, et ux, North 53 degrees East 122.5 feet to a proposes street designated as Thomas Street; THENCE along the Westerly right-of-way of said Street, South 37 degrees East 210 feet to a point; THENCE by a line scribed by a 15 foot radius to a point on the Northerly side of Cherry Hill Road; THENCE along Cherry Hill Road, South 53 degrees West 107.5 feet more or less to a point, the place of BEGINNING.

IT being Lot No.6 in Section 1 of the Shawnee Hills Development as shown on a draft of lots prepared for John W. Robison by Charles Robert Kerstetter, R.S.

BEING No.901 Cherry Hill Road.

TAX PARCEL NUMBER: 31-3D4-008

TITLE TO SAID PREMISES IS VESTED IN Cindy M. Cercone by Deed from Dennis W. Murnane and Cynthia S. Murnane, husband and wife dated 4/24/2000 and recorded 5/2/2000 in Instrument #200003958.

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 (8) days after the sale is 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 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.

Plaintiff's Attorney
Frank Federman, Esq.
1617 John F. Kennedy Blvd
Philadelphia, PA 19103

Sheriff of Columbia County
Harry A. Roadarmel, Jr.

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY
COURT HOUSE - P.O. BOX 380
BLOOMSBURG, PA 17815
FAX: (570) 389-5625

PHONE
(570) 389-5622

24 HOUR PHONE
(570) 784-6300

Date: August 9, 2001

To:

Re: M&T Mortgage Corporation vs. Cindy M. Cercone

No: 74 of 2001 E.D. and No. 585 of 2001 J.D.

To Whom It May Concern:

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.

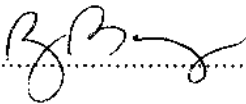
Respectfully,

Harry A. Roadarmel, Jr.
Sheriff of Columbia County

Ceran d

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 notice or advertisement in the September 19, 26; October 3, 2001 exactly as printed and published; that the affiant is one of the owners and publishers of said newspaper in which legal advertisement 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.

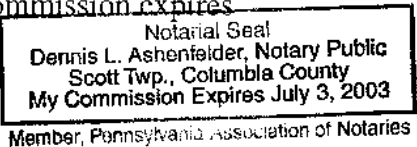
.....


Sworn and subscribed to before me this 4th day of OCTOBER 2001...

.....


(Notary Public)

My commission expires _____



And now,....., 20....., 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.

.....

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
(570) 784-8760**

ALL THAT CERTAIN lot, piece or parcel of land lying and being situate in Scott Township, Columbia County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the Northerly side of Cherry Hill Road and in line of lands of Lot No. 7; THENCE along Lot No. 7, North 37 degrees West 225 feet to a point in line of other lands now or late of John W. Robison and Harriette D. Robison, his wife; THENCE along other lands now or late of the said John W. Robison, et ux, North 53 degrees East 122.5 feet to a proposed street designated as Thomas Street; THENCE along the Westerly right-of-way of said Street, South 37 degrees East 210 feet to a point; THENCE by a line scribed by a 15 foot radius to a point on the Northerly side of Cherry Hill Road; THENCE along Cherry Hill Road, South 53 degrees West 107.5 feet more or less to a point, the place of BEGINNING.

IT being Lot No. 6 in Section 1 of the Shawnee Hills Development as shown on a draft of lots prepared for John W. Robison by Charles Robert Kerstetter, R.S.

BEING No. 901 Cherry Hill Road.

TAX PARCEL NUMBER: 31-3D4-008

TITLE TO SAID PREMISES IS VESTED IN Cindy M. Cercone by Deed from Dennis W. Murnane and Cynthia S. Murnane, husband and wife dated 4/24/2000 and recorded 5/2/2000 in Instrument #200003958.

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

M & T MORTGAGE
CORPORATION

vs.

CINDY M. CERCONI, A/K/A
CINDY CERCONI

IN THE COURT OF COMMON PLEAS OF
COLUMBIA COUNTY, PENNSYLVANIA

No. 2001-ED-74 Term 2001
No. 2001-CV-585 Term 2001
No. _____ Term 2001

WRIT OF EXECUTION
(Mortgage Foreclosure)

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: 901 CHERRY HILL ROAD, BLOOMSBURG, PA 17818
(See Legal Description attached)

Amount Due

\$ 157,545.37

Interest from 7/12/01 to Sale
at \$25.90 per diem

\$ _____ and costs.

Lami B. Kline

(Clerk) Office of the Prothy Support, Common Pleas Court
of Columbia County, Penna.

Dated July 24, 2001

ALL THAT CERTAIN lot, piece or parcel of land lying and being situate in Scott Township, Columbia County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the Northerly side of Cherry Hill Road and in line of lands of Lot No. 7; THENCE along Lot No. 7, North 37 degrees West 225 feet to a point in line of other lands now or late of John W. Robison and Harriette D. Robison, his wife; THENCE along other lands now or late of the said John W. Robison, et ux, North 53 degrees East 122.5 feet to a proposed street designated as Thomas Street; THENCE along the Westerly right-of-way of said Street, South 37 degrees East 210 feet to a point; THENCE by a line scribed by a 15 foot radius to a point on the Northerly side of Cherry Hill Road; THENCE along Cherry Hill Road, South 53 degrees West 107.5 feet more or less to a point, the place of BEGINNING.

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FEDERMAN AND PHELAN, LLP

By: FRANK FEDERMAN
Identification No. 12248
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
Attorney for Plaintiff
(215)563-7000

Attorney for Plaintiff

**M & T MORTGAGE CORPORATION
ONE FOUNTAIN PLAZA, 6TH FLOOR
BUFFALO, NY 14203**

**COLUMBIA COUNTY
COURT OF COMMON PLEAS**

Plaintiff,

CIVIL DIVISION

v.

NO. 2001-CV-585

**CINDY M. CERCOE,
A/K/A CINDY CERCOE
901 CHERRY HILL ROAD
BLOOMSBURG, PA 17818**

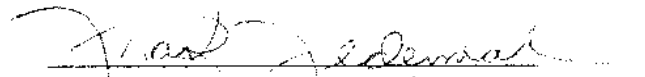
Defendant(s).

CERTIFICATION

FRANK FEDERMAN, ESQUIRE hereby verifies that he is the attorney for the Plaintiff in the above-captioned matter and that the premises is not subject to the provisions of Act 91 because it is:

- () an FHA Mortgage
- () non-owner occupied
- () vacant
- (X) Act 91 procedures have been fulfilled

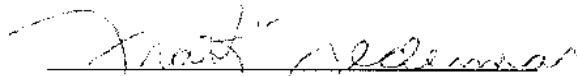
This Certification is made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.


 FRANK FEDERMAN, ESQUIRE
 Attorney for Plaintiff

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.) |
| None | |
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 | 901 CHERRY HILL ROAD
BLOOMSBURG, PA 17818 |
| DOMESTIC RELATIONS
OF COLUMBIA COUNTY | COLUMBIA COUNTY COURTHOUSE
P.O. BOX 380
BLOOMSBURG, PA 17815 |
| COMMONWEALTH OF
PENNSYLVANIA
DEPARTMENT OF
WELFARE | P.O. BOX 2675
HARRISBURG, PA 17105 |

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.

July 16, 2001
Date


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

ALL THAT CERTAIN lot, piece or parcel of land lying and being situate in Scott Township, Columbia County, Pennsylvania, bounded and described as follows, to wit:

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ENTITY VENDOR
FAP Sheriff of Columbia County [SCOLU]

CHECK DATE
7/17/2001

CHECK NO.
145680

DOC NO	APPLY TO	DATE	INVOICE	APPLY TO INVOICE	DOC AMOUNT	DISCOUNT	PAYMENT AMOUNT
145680	129863	07/17/01	6039945		1,200.00	0.00	1,200.00
CERCONE, C							
							1,200.00

FEDERMAN & PHELAN
ATTORNEY ESCROW ACCOUNT
ONE PENN CENTER, SUITE 1400
PHILADELPHIA, PA 19103-1814

ORIGINAL DOCUMENT IS PRINTED ON CHEMICAL REACTIVE PAPER & HAS A MICROPRINTED BORDER

FEDERMAN & PHELAN
ATTORNEY ESCROW ACCOUNT
ONE PENN CENTER, SUITE 1400
PHILADELPHIA, PA 19103-1814

COMMERCE BANK
PHILADELPHIA, PA 19148

3-180/360

CHECK NO
145680

ORM 07-17-2001

DATE	AMOUNT
7/17/2001	*****1,200.00

Pay ONE THOUSAND TWO HUNDRED AND 00/100 DOLLARS

Void after 90 days

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

Frank Federman

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

⑈ 145680⑈ ⑆036001808⑆36 150866 6⑈