

# SHERIFF'S SALE COST SHEET

Bono Ficial VS. Wharton  
 NO. 173-03 ED NO. 176-03 JD DATE/TIME OF SALE Project

DOCKET/RETURN	\$15.00
SERVICE PER DEF.	\$ <u>210.00</u>
LEVY (PER PARCEL	\$15.00
MAILING COSTS	\$ <u>42.50</u>
ADVERTISING SALE BILLS & COPIES	\$17.50
ADVERTISING SALE (NEWSPAPER)	\$15.00
MILEAGE	\$ <u>6.00</u>
POSTING HANDBILL	\$15.00
CRYING/ADJOURN SALE	\$10.00
SHERIFF'S DEED	<del>\$35.00</del>
TRANSFER TAX FORM	<del>\$25.00</del>
DISTRIBUTION FORM	<del>\$25.00</del>
COPIES	\$ <u>7.00</u>
NOTARY	\$ <u>12.00</u>
TOTAL ***** \$ <u>365.00</u>	

WEB POSTING	\$150.00
PRESS ENTERPRISE INC.	\$ <u>606.92</u>
SOLICITOR'S SERVICES	\$75.00
TOTAL ***** \$ <u>831.92</u>	

PROTHONOTARY (NOTARY)	<del>\$10.00</del>
RECORDER OF DEEDS	\$ _____
TOTAL ***** \$ <u>-0-</u>	

REAL ESTATE TAXES:

BORO, TWP & COUNTY 20	\$ _____
SCHOOL DIST. 20	\$ _____
DELINQUENT 20 <u>1519</u>	\$ <u>5.-</u>
TOTAL ***** \$ <u>5.-</u>	

MUNICIPAL FEES DUE:

SEWER 20	\$ _____
WATER 20	\$ _____
TOTAL ***** \$ <u>-0-</u>	

SURCHARGE FEE (DSTE)	\$ <u>150.00</u>
MISC. _____	\$ _____
_____	\$ _____
TOTAL ***** \$ <u>-0-</u>	

TOTAL COSTS (OPENING BID) \$ 1351.92 2000.00 Dep.  
 1520 648.08 cost Refund

# SHERIFF'S SALE COST SHEET

Beneficial Const. Div. Co. VS. Samuel & Rosemarie Wharton  
 NO. 173-03 ED NO. 776-03 JD DATE/TIME OF SALE 3-3-04 / 0900

DOCKET/RETURN	\$15.00
SERVICE PER DEF.	\$ <u>210.00</u>
LEVY (PER PARCEL	\$15.00
MAILING COSTS	\$ <u>42.50</u>
ADVERTISING SALE BILLS & COPIES	\$17.50
ADVERTISING SALE (NEWSPAPER)	\$15.00
MILEAGE	\$ <u>6.00</u>
POSTING HANDBILL	\$15.00
CRYING/ADJOURN SALE	\$10.00
SHERIFF'S DEED	\$35.00
TRANSFER TAX FORM	\$25.00
DISTRIBUTION FORM	\$25.00
COPIES	\$ <u>7.00</u>
NOTARY	\$ <u>12.00</u>
TOTAL *****	\$ <u>450.00</u>

WEB POSTING	\$150.00
PRESS ENTERPRISE INC.	\$ <u>606.92</u>
SOLICITOR'S SERVICES	\$75.00
TOTAL *****	\$ <u>836.92</u>

PROTHONOTARY (NOTARY)	\$10.00
RECORDER OF DEEDS	\$ <u>41.50</u>
TOTAL *****	\$ <u>51.50</u>

REAL ESTATE TAXES:		
BORO, TWP & COUNTY 20		\$ <u>353.49</u>
SCHOOL DIST. 20		\$
DELINQUENT 20		\$ <u>3345.12</u>
TOTAL *****		\$ <u>3698.61</u>

MUNICIPAL FEES DUE:		
SEWER 20		\$
WATER 20		\$
TOTAL *****		\$ <u>-0-</u>

SURCHARGE FEE (DSTE)		\$ <u>150.00</u>
MISC. _____		\$
_____		\$
TOTAL *****		\$ <u>-0-</u>

TOTAL COSTS (OPENING BID) \$ 5182.03

# MICHAEL G. OLEYAR

Attorney at Law

1261 North Church Street  
Hazleton, Pennsylvania 18202

Tel: (570) 455-6800

Fax (570) 455-6900

---

February 27, 2004

Columbia County Sheriff  
Columbia County Courthouse  
35 West Main Street  
Bloomsburg, PA 17815

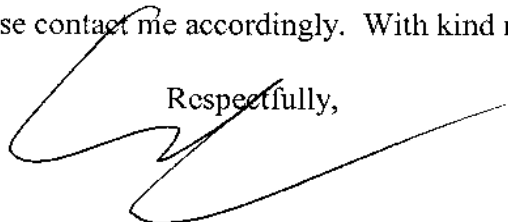
**RE: WHARTON, Jr., Samuel N.**  
**Chapter 13 Bankruptcy Case No: 5-04-50967**  
**Date Filed: February 26, 2004**

Dear Sheriff of Columbia County:

I have been retained by the above-named Debtor. A Chapter 13 Bankruptcy was filed yesterday, February 26, 2004, the case number is 5-04-5-04-50967. As of the date of the filing of this bankruptcy a Federal Automatic Stay is in effect. Thus, the Sheriff Sale, slated for Wednesday, March 3, 2004, if held would be a direct violation of the Bankruptcy Code Title 11 U.S.C. § 362. I would expect that this sale will not occur in light of this formal bankruptcy notice.

Should you have questions, please contact me accordingly. With kind regards, I remain,

Respectfully,



Michael G. Oleyar  
Attorney at Law

MGO/mso  
Enclosures

cc: Samuel N. Wharton, Jr.  
Herbert P. Henderson, II, Esq.

# SHERIFF'S SALE

WEDNESDAY MARCH 3, 2004 AT 9:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 173 OF 2003 ED AND CIVIL WRIT NO. 776 OF 2003 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 piece and parcel of land situate in the Town of Bloomsburg, Columbia County, Pennsylvania, bounded and described as follows:

BEGINNING at a corner on the south side of Fifth Street 90.2 feet west from the southwest corner of Fifth and Jefferson Streets; THENCE in a southerly direction along land now or formerly of Jessie Conner Ikeler, parallel with Market Street, 182 feet to a corner on the northern side of Sterner alley; THENCE by the same in a westerly direction, 49 feet to a corner in line of land now or formerly of Peter D. Polites; THENCE by the same in a northerly direction on a line parallel with Market Street, 182 feet to a corner on the south side of Fifth Street; THENCE by the same in an easterly direction, 49 feet to a corner, the place of beginning.

WHEREON is erected a two and one-half story frame dwelling house.

BEING the same premises which Henry N. Flick and Mary I. Flick, his wife, by their deed dated January 15, 1979, and recorded in Columbia County Deed Book 290, page 878, granted and conveyed unto Samuel N. Wharton, Jr.

## 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  
Herbert Henderson  
36 East King St.  
Lancaster, PA 17602

Acting Sheriff of Columbia County  
Timothy T. Chamberlain  
[www.sheriffofcolumbiacounty.com](http://www.sheriffofcolumbiacounty.com)

CONFIDENTIAL

**United States Bankruptcy Court  
Middle District of Pennsylvania**

**Notice of Bankruptcy Case Filing**

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 13 of the United States Bankruptcy Code, entered on 02/26/2004 at 3:33 PM and filed on 02/26/2004 at 10:47 AM.

**Samuel N. Wharton, Jr.**  
216 West Fifth Street  
Bloomsburg, PA 17815  
SSN: xxx-xx-7070  
*aka*  
**Sam Wharton and Son**



The case was filed by the debtor's attorney:      The bankruptcy trustee is:

**Michael G Oleyar**  
1261 NORTH CHURCH STREET  
HAZLETON, PA 18202  
570 455-6800

**Charles J DeHart, III**  
PO Box 410  
Hummelstown, PA 17036  
717-566-6097

The case was assigned case number 04-50967 to Judge John J Thomas.

The filing of a bankruptcy case automatically stays certain actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page <http://www.pamb.uscourts.gov/> or at the Clerk's Office, U.S. Bankruptcy Court, 274 Max Rosenn U.S. Courthouse, 197 South Main Street, Wilkes-Barre, PA 18701.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

**Arlene Byers  
Clerk, U.S. Bankruptcy Court**

PACER Service Center			
Transaction Receipt			
02/27/2004 06:46:59			
<b>PACER Login:</b>	mg0090	<b>Client Code:</b>	
<b>Description:</b>	Notice of Filing	<b>Case Number:</b>	5:04-bk-50967-JJT
<b>Billable Pages:</b>	1	<b>Cost:</b>	0.07



**Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

FORM B1, Page 2

**WHARTON, JR., SAMUEL N.****Prior Bankruptcy Case Filed Within Last 6 Years** (If more than one, attach additional sheet)

Location

Where Filed: **Middle District of Pennsylvania**

Case Number:

**5-02-01832**

Date Filed:

**4/30/02****Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor** (If more than one, attach additional sheet)

Name of Debtor:

**Samuel N. Wharton**

Case Number:

**5-01-03887**

Date Filed:

**9/20/01**

District:

**Middle District of Pennsylvania**

Relationship:

**same**

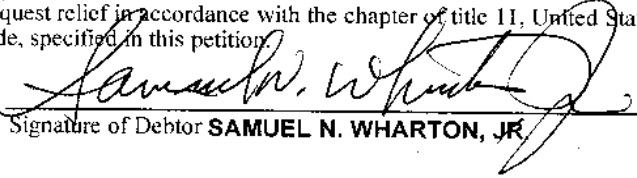
Judge:

**John J. Thomas****Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

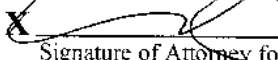
X  Signature of Debtor **SAMUEL N. WHARTON, JR.**X \_\_\_\_\_  
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

**2-16-2004**

Date

Signature of Attorney

X  Signature of Attorney for Debtor(s)**Michael G. Oleyar, Esq. 78264**

Printed Name of Attorney for Debtor(s)

**Law Office of Michael G. Oleyar**

Firm Name

**1261 North Church Street  
Hazleton, PA 18202**

Address

**570-455-6800 Fax: 570-455-6900**

Telephone Number

**2-16-04**

Date

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X \_\_\_\_\_  
Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

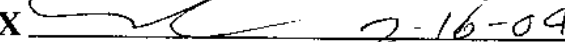
**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

☐ Exhibit A is attached and made a part of this petition.**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X  **2-16-04**  
Signature of Attorney for Debtor(s) Date  
**Michael G. Oleyar, Esq.****Exhibit C**

Does the debtor own or have possession of any property that poses a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.  
☒ No**Signature of Non-Attorney Petition Preparer**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number (Required by 11 U.S.C. § 110(c).)

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

X \_\_\_\_\_  
Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

FORM 21. STATEMENT OF SOCIAL SECURITY NUMBER

United States Bankruptcy Court  
Middle District of Pennsylvania

In re SAMUEL N. WHARTON, JR.  
aka Sam Wharton and Son  
Debtor

Address 216 West Fifth Street  
Bloomsburg, PA 17815  
Employer's Tax Identification (EIN) No(s). [if any]: \_\_\_\_\_  
Last four digits of Social Security No(s).: xxx-xx-7070

Case No. \_\_\_\_\_  
Chapter 13

STATEMENT OF SOCIAL SECURITY NUMBER(S)

1. Name of Debtor (enter Last, First, Middle): WHARTON, JR., SAMUEL, N.  
(Check the appropriate box and, if applicable, provide the required information.)

☒ Debtor has a Social Security Number and it is: 183-40-7070  
(If more than one, state all.)

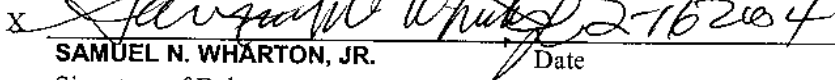
☐ Debtor does not have a Social Security Number.

2. Name of Joint Debtor (enter Last, First, Middle): \_\_\_\_\_  
(Check the appropriate box and, if applicable, provide the required information.)

☐ Joint Debtor has a Social Security Number and it is: \_\_\_\_\_  
(If more than one, state all.)

☐ Joint Debtor does not have a Social Security Number.

I declare under penalty of perjury that the foregoing is true and correct.

X   
SAMUEL N. WHARTON, JR. Date  
Signature of Debtor

X \_\_\_\_\_  
Signature of Joint Debtor Date

\*Joint debtors must provide information for both spouses.

Penalty for making a false statement: Fine of up to \$250,000 or up to 5 years imprisonment or both. 18 U.S.C. §§ 152 and 3571.



**REIDENBACH, HENDERSON & PECHT**

The Cipher Building  
36 East King Street  
Lancaster, PA 17602

Kenneth G. Reidenbach, II\*  
Herbert E. Henderson, II  
Wayne M. Pecht\*\*

\* Member of California Bar  
+ CPA/LM in Taxation

Telephone 717-295-9159  
Fax 717-295-1225  
e-mail lawyer@law-for-you.com

FAX COVER SHEETDATE: 2/27/04TIME: 8:50TO: Columbia Sheriff - RE DivisionFAX NO.: 570-389-5625

FROM: REIDENBACH, HENDERSON &amp; PECHT

FAX NO.: 717 - 295-1225

TOTAL NUMBER OF PAGES, INCLUDING COVER SHEET: 2RE: Sale for 3/3/04MESSAGE: Beneficial CDC vs. Wharton☒ Original will not follow☐ Original will follow by:

☐ mail  
☐ overnight courier  
☐ hand delivery

In the event of a problem, please notify Tami

\*\*\*\*CONFIDENTIAL\*\*\*\*

The information contained in this facsimile message is attorney privileged and confidential information, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, collect and return the original message to us at the above address via the U. S. Postal Service. We will reimburse postage. Thank you.

Suite 200  
1205 Manor Drive  
Mechanicsburg, PA 17055

Telephone: 717-691-9810  
Fax: 717-766-3361

**REIDENBACH, HENDERSON & PECHT**

The Cipher Building  
36 East King Street  
Lancaster, PA 17602

Kenneth G. Reidenbach, II\*  
Herbert P. Henderson, II  
Wayne M. Pecht\*\*

Telephone 717-295-9159  
Fax 717-295-1225  
e-mail lawyer@law-for-you.com

\* Member of California Bar  
+ CPA/CIA in Taxation

February 27, 2004

VIA FACSIMILE: 570-389-5625

Sheriff's Office  
Columbia County  
Attn: Real Estate Division

RE: Sheriff Sale scheduled for March 3, 2004  
Beneficial CDC vs. Samuel and Rosemarie Wharton

Dear Shannon:

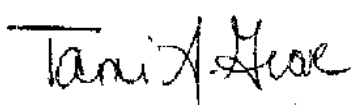
Please cancel the Sheriff's Sale scheduled for March 3, 2004 in the above referenced matter due to the Defendant filing chapter 13 bankruptcy.

Should you have any questions, feel free to contact me.

Very truly yours,

REIDENBACH, HENDERSON & PECHT

By:

  
Tami A. Grove  
Paralegal

TAG

Suite 200  
1205 Manor Drive  
Mechanicsburg, PA 17055

Telephone: 717-691-9810  
Fax: 717-766-3361

TOTAL P.02

# Michael G. Oleyar

Attorney at Law

1261 North Church Street

Hazleton PA 18202

Tel: (570) 455-6800

Fax (570) 455-6900

## Facsimile Transmittal

**To:** Sheriff of Columbia County

**From:** Michael G. Oleyar, Esq.

**Date:** February 27, 2004

**Time:** 1:15 hours

**Subject:** WHARTON, Jr., Samuel N.  
Chapter 13 Bankruptcy Case No: 5-04-50967  
Writ of Execution No: 173 of 2003

**Fax Number:** 570-389-5625

**Total pages including cover sheet:** 2

**Hard copy to follow via U.S. Mail** X **No hard copy to follow** \_\_\_\_\_

If you do not receive the total number of pages or if there are problems with transmission please call the telephone number listed above.

The information contained in this message is confidential and may be attorney privileged, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of this communication to anyone other than the intended recipient is strictly prohibited. If you have received this communication in error, please notify us by telephone immediately and return the original message to us at the above address via U.S. mail. Thank You.

# MICHAEL G. OLEYAR

Attorney at Law

1261 North Church Street  
Hazleton, Pennsylvania 18202

Tel: (570) 455-6800

Fax (570) 455-6900

February 27, 2004

Columbia County Sheriff  
Columbia County Courthouse  
35 West Main Street  
Bloomsburg, PA 17815

**RE: WHARTON, Jr., Samuel N.**  
**Chapter 13 Bankruptcy Case No: 5-04-50967**  
**Date Filed: February 26, 2004**

Dear Sheriff of Columbia County:

I have been retained by the above-named Debtor. A Chapter 13 Bankruptcy was filed yesterday, February 26, 2004, the case number is 5-04-5-04-50967. As of the date of the filing of this bankruptcy a Federal Automatic Stay is in effect. Thus, the Sheriff Sale, slated for Wednesday, March 3, 2004, if held would be a direct violation of the Bankruptcy Code Title 11 U.S.C. § 362. I would expect that this sale will not occur in light of this formal bankruptcy notice.

Should you have questions, please contact me accordingly. With kind regards, I remain,

Respectfully,

Michael G. Oleyar  
Attorney at Law

MGO/mso

Enclosures

cc: Samuel N. Wharton, Jr.  
Herbert P. Henderson, II, Esq.

# COLUMBIA COUNTY SHERIFF'S OFFICE

## SHERIFF'S REAL ESTATE FINAL COST SHEET

Bene Grual Cons. Dis. Co. VS Samuel + Rosemarie Wharton

NO. 173-03 ED NO. 776-03 JD

DATE/TIME OF SALE: 3-3-04 0900

BID PRICE (INCLUDES COST) \$ \_\_\_\_\_

POUNDAGE - 2% OF BID \$ \_\_\_\_\_

TRANSFER TAX - 2% OF FAIR MKT \$ \_\_\_\_\_

MISC. COSTS \$ \_\_\_\_\_

TOTAL AMOUNT NEEDED TO PURCHASE \$ \_\_\_\_\_

PURCHASER(S): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAMES(S) ON DEED: \_\_\_\_\_

PURCHASER(S) SIGNATURE(S): \_\_\_\_\_

TOTAL DUE: \$ \_\_\_\_\_

LESS DEPOSIT: \$ \_\_\_\_\_

DOWN PAYMENT: \$ \_\_\_\_\_

TOTAL DUE IN 8 DAYS \$ \_\_\_\_\_

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Midsouth Building Supply  
PO Box 11848  
Harrisburg, PA 17108

## 2. Article Number

(Transfer from service label)

7002 3150 0006 4911 5952

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-Z-05

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

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

## 2. Article Number

(Transfer from service label)

7002 3150 0006 4911 5983

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-Z-09

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

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

## 2. Article Number

(Transfer from service label)

7002 3150 0006 4911 5976

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-Z-05

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X

173

☐ Agent☒ Addressee

## B. Received by (Printed Name)

ROBERT D. KOOZE

## C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
if YES, enter delivery address below: ☐ No

## 3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X

123

☐ Agent☒ Addressee

## B. Received by (Printed Name)

JOHN A. BECHTOLD

## C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
if YES, enter delivery address below: ☐ No

## 3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X

173

☐ Agent☒ Addressee

## B. Received by (Printed Name)

J. SOMMER

## C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
if YES, enter delivery address below: ☐ No

## 3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X

173

☐ Agent☒ Addressee

## B. Received by (Printed Name)

J. SOMMER

## C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
if YES, enter delivery address below: ☐ No

## 3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X

173

☐ Agent☒ Addressee

## B. Received by (Printed Name)

J. SOMMER

## C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
if YES, enter delivery address below: ☐ No

## 3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

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.

BENEFICIAL CONSUMER DISCOUNT  
COMPANY

VS.

SAMUEL AND ROSEMARIE WHARTON

WRIT OF EXECUTION #173 OF 2003 ED

POSTING OF PROPERTY

JANUARY 28, 2004 POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE  
PROPERTY OF SAMUEL AND ROSEMARIE WHARTON AT 216 W. 5<sup>TH</sup> ST. BLOOMSBURG  
COLUMBIA COUNTY PENNSYLVANIA. SAID POSTING PERFORMED BY COLUMBIA COUNTY  
DEPUTY SHERIFF J. ARTER.

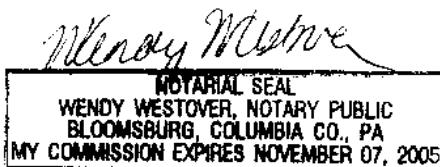
SO ANSWERS:

  
DEPUTY SHERIFF

TIMOTHY T. CHAMBERLAIN  
ACTING SHERIFF

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 30TH DAY OF JANUARY 2004



# COLUMBIA COUNTY TAX CLAIM BUREAU LIEN CERTIFICATE

Date December 10, 2003

OWNER OR REPUTED OWNER  
Samuel N Wharton Jr

DESCRIPTION OF PROPERTY  
216 W Fifth St  
.20 acre

PARCEL NUMBER 05M,03-161-00,000 IN Town of Bloomsburg Township  
City

YEAR	TOTAL
2001	636.00
2002	1362.93
Lien	5.00
TOTAL	\$2003.93*

The above figures represent the amount(s) due during the month of  
March 2004

This is to certify that, according to our records, there are tax liens on  
the above mentioned property as of December 31, 2002.

Excluding: Interim Tax Billings

Requested by: Harry Roadarmel Jr. Sheriff

\*Does not include 2003 taxes

FEE - \$5.00  
Per Parcel

COLUMBIA COUNTY TAX CLAIM BUREAU

2001	\$ 636.00
2002	\$1,362.94
2003	\$1,311.18
Notice Fee	\$ 30.00
Lien	\$ 5.00
TOTAL	\$3,345.12



HARRY A. ROADARMEL, JR.



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

Tuesday, December 09, 2003

MARY WARD-TAX COLLECTOR  
E 2ND ST.  
BLOOMSBURG, PA 17815-

BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL  
MORTGAGE CO. OF PENNSYLVANIA  
VS  
SAMUEL WHARTON  
ROSEMARIE WHARTON

DOCKET # 173ED2003

JD # 776JD2003

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 that you may have.

Respectfully,

Harry A. Roadarmel, Jr.  
Sheriff of Columbia County

05W-03-161

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA : No. 776CV2003  
Plaintiff :  
vs. : ACTION IN  
MORTGAGE FORECLOSURE  
SAMUEL N. WHARTON and :  
ROSEMARIE WHARTON, :  
Defendants :

**NOTICE OF SHERIFF'S SALE OF REAL ESTATE**

TO: **Samuel N. Wharton**                      **Rosemarie Wharton**  
     **216 West 5<sup>th</sup> Street**                      **542 E 9<sup>th</sup> Street #ES**  
     **Bloomsburg, PA 17815**                      **Berwick, PA 18603**

TAKE NOTICE that by virtue of the above Writ of Execution issued out of the Court of Common Pleas of Columbia County, Pennsylvania and to the Sheriff of Columbia County, directed, there will be exposed to Public Sale in

COLUMBIA COUNTY COURTHOUSE  
P.O. BOX 380  
BLOOMSBURG, PA 17815

On March 3, 2004 at 9:00 a.m. E.S.T., of the following described real estate, of Defendant,

[ FOUND ON THE MORTGAGE] ALL THAT CERTAIN piece or parcel of ground situate in the Town of Bloomsburg, Columbia County, Pennsylvania, being more fully described in a Deed dated 1/15/1979 and recorded 1/16/1979, among the land records of the County and State set forth above. In Deed Volume 290 and Page 878 and Tax Map or Parcel Id No. 05W-03-161.

at Execution No.776CV2003 in the amount of \$114,626.24 plus costs.

Claims against property must be filed at the Office of the Sheriff before the above sale date.

Claims to proceeds must be made with the Office of the Sheriff before distribution.

Schedule of Distribution will be filed with the Office of the Sheriff no later than thirty (30) days from the sale date.

Exceptions to Distribution or a Petition to Set Aside the Sale must be filed with the Office of the Sheriff not later than ten (10) days from the date when the Schedule of Distribution is filed in the Office of the Sheriff.

Attached hereto is a copy of the Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken away to pay the judgment. You have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, **you must act promptly**.

YOU SHOULD TAKE THIS NOTICE AND THE WRIT OF EXECUTION TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL ADVICE.

FRED TRUMP  
COURT ADMINISTRATOR  
COLUMBIA COUNTY COURTHOUSE  
BLOOMSBURG, PA 16830  
(570) 784-1991

You may have legal rights to prevent the Sheriff's Sale and the loss of your property. In order to exercise those rights prompt action on your part is necessary. A lawyer may be able to help you.

You may have the right to prevent or delay the Sheriff's Sale by filing, before the sale occurs, a petition to open or strike the judgment or a petition to stay the execution.

If the judgment was entered because you did not file with the Court a defense or objection you might have within twenty (20) days after service of the Complaint for Mortgage Foreclosure and Notice to Defend, you may have the right to have the judgment opened if you promptly file a petition with the Court alleging a valid defense and a reasonable excuse for failing to file the defense on time. If the judgment is opened the Sheriff's Sale would ordinarily be delayed pending a trial of the issue of whether the plaintiff has a valid claim to foreclose the mortgage or judgment.

You may also have the right to petition the Court to stay or delay the execution and the Sheriff's Sale if you can show a defect in the Writ of Execution or service or demonstrate any other legal or equitable right.

YOU MAY HAVE THE RIGHT TO HAVE THE SHERIFF'S SALE SET ASIDE IF

THE PROPERTY IS SOLD FOR A GROSSLY INADEQUATE PRICE OR THERE ARE DEFECTS IN THE SHERIFF'S SALE. TO EXERCISE THIS RIGHT YOU SHOULD FILE A PETITION WITH THE COURT AFTER THE SALE AND BEFORE THE SHERIFF HAS DELIVERED HIS DEED TO THE PROPERTY. THE SHERIFF WILL DELIVER THE DEED IF NO PETITION TO SET ASIDE THE SALE IS FILED WITHIN TEN (10) DAYS FROM THE DATE WHEN THE SCHEDULE OF DISTRIBUTION IS FILED IN THE OFFICE OF THE SHERIFF.

REIDENBACH, HENDERSON & PECHT

By: 

Herbert P. Henderson, II, Esquire  
36 East King Street  
Lancaster, PA 17602  
(717) 295-9159

HARRY A. ROADARMEL, JR.



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

BENEFICIAL CONSUMER DISCOUNT  
COMPANY D/B/A BENEFICIAL MORTGAGE  
CO. OF PENNSYLVANIA

VS

Docket # 173ED2003

WRIT OF EXECUTION - MORTGAGE  
FORECLOSURE

SAMUEL WHARTON  
ROSEMARIE WHARTON

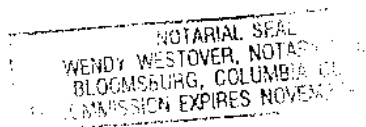
AFFIDAVIT OF SERVICE

NOW, THIS TUESDAY, DECEMBER 16, 2003, AT 9:36 AM, SERVED THE WITHIN WRIT OF  
EXECUTION - MORTGAGE FORECLOSURE UPON ROSEMARIE WHARTON AT 542  
E. 9TH ST., BERWICK BY HANDING TO ROBIN MCCORMICK, Sister, A TRUE AND ATTESTED  
COPY OF THE ORIGINAL WRIT AND MADE KNOWN TO THEM THE CONTENTS THEREOF.

SO ANSWERS,

SWORN AND SUBSCRIBED BEFORE ME  
THIS THURSDAY, DECEMBER 18, 2003

Wendy Westover  
NOTARY PUBLIC



Harry A. Roadarmel Jr.

X  
SHERIFF HARRY A. ROADARMEL JR.

X  
S. HARTZEL  
DEPUTY SHERIFF

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY  
COURT HOUSE - P.O. BOX 380  
BLOOMSBURG, PA 17815  
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BENEFICIAL CONSUMER DISCOUNT  
COMPANY D/B/A BENEFICIAL MORTGAGE  
CO. OF PENNSYLVANIA

VS

Docket # 173ED2003

WRIT OF EXECUTION - MORTGAGE  
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SAMUEL WHARTON  
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AFFIDAVIT OF SERVICE

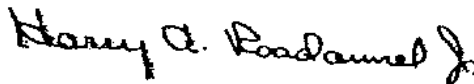
NOW, THIS THURSDAY, DECEMBER 11, 2003, AT 9:30 AM. SERVED THE WITHIN WRIT OF  
EXECUTION - MORTGAGE FORECLOSURE UPON SAMUEL WHARTON AT 216 W 5TH  
ST., BLOOMSBURG BY HANDING TO SAMUEL WHARTON. , A TRUE AND ATTESTED COPY  
OF THE ORIGINAL WRIT AND MADE KNOWN TO THEM THE CONTENTS THEREOF.

SO ANSWERS.

SWORN AND SUBSCRIBED BEFORE ME  
THIS MONDAY, DECEMBER 15, 2003

  
\_\_\_\_\_  
NOTARY PUBLIC

NOTARIAL SEAL  
WENDY WESTOVER, NOT. P. 0000000000  
BLOOMSBURG, PENNSYLVANIA  
COMMISSION EXPIRES 11/15/2006



X  
SHERIFF HARRY A. ROADARMEL JR.

X  
S. HARTZEL  
DEPUTY SHERIFF

# SHERIFF'S SALE

WEDNESDAY MARCH 3, 2004 AT 9:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 173 OF 2003 ED AND CIVIL WRIT NO. 776 OF 2003 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 piece and parcel of land situate in the Town of Bloomsburg, Columbia County, Pennsylvania, bounded and described as follows:

BEGINNING at a corner on the south side of Fifth Street 90.2 feet west from the southwest corner of Fifth and Jefferson Streets; THENCE in a southerly direction along land now or formerly of Jessie Conner Ikeler, parallel with Market Street, 182 feet to a corner on the northern side of Sterner alley; THENCE by the same in a westerly direction, 49 feet to a corner in line of land now or formerly of Peter D. Polites; THENCE by the same in a northerly direction on a line parallel with Market Street, 182 feet to a corner on the south side of Fifth Street; THENCE by the same in an easterly direction, 49 feet to a corner, the place of beginning.

WHEREON is erected a two and one-half story frame dwelling house.

BEING the same premises which Henry N. Flick and Mary I. Flick, his wife, by their deed dated January 15, 1979, and recorded in Columbia County Deed Book 290, page 878, granted and conveyed unto Samuel N. Wharton, Jr.

## 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  
Herbert Henderson  
36 East King St.  
Lancaster, PA 17602

Acting Sheriff of Columbia County  
Timothy T. Chamberlain  
[www.sheriffofcolumbiacounty.com](http://www.sheriffofcolumbiacounty.com)

# SHERIFF'S SALE

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Herbert Henderson  
36 East King St.  
Lancaster, PA 17602

Acting Sheriff of Columbia County  
Timothy T. Chamberlain  
[www.sheriffofcolumbiacounty.com](http://www.sheriffofcolumbiacounty.com)



# SHERIFF'S SALE

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Plaintiff's Attorney  
Herbert Henderson  
36 East King St.  
Lancaster, PA 17602

Sheriff of Columbia County  
Harry A. Roadarmel, Jr.  
[www.sheriffofcolumbiacounty.com](http://www.sheriffofcolumbiacounty.com)

**MUNICIPAL AUTHORITY  
of the  
TOWN OF BLOOMSBURG**

Chairman  
Robert Linn  
Vice Chairman  
George Hemingway  
Treasurer  
Samuel Evans  
Secretary-Ass't. Treasurer  
Carol L. Mas  
Solicitor  
Gary E. Norton, Esq.

Board of Directors

Robert Linn  
George Hemingway  
Samuel Evans  
Michael Upton  
Thomas Evans

**TOWN HALL  
301 EAST SECOND STREET  
BLOOMSBURG PA 17815  
570~784~5422  
570~784~1518 (FAX)**

January 7, 2004

Tim Chamberlain  
Interim Sheriff of Columbia County  
Columbia County Court House  
P. O. Box 380  
Bloomsburg PA 17815

RE: Wharton, Samuel & Rosemarie  
216 W. 5<sup>th</sup> Street

Docket # 173ED2003  
JD# 776JD2003

Dear Mr. Chamberlain:

In response to your notification regarding the pending Sheriff's Sale on the referenced property, the Bloomsburg Municipal Authority would like to inform you it holds no claims for unpaid sewer service charges.

Thank you for informing the Municipal Authority office of this matter. If you require any further information, please contact me at 784-5422, ext. 112.

Sincerely,



Amber Kenney  
Office Administrator

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 12/5/2003

SERVICE# 2 - OF - 15 SERVICES  
DOCKET # 173ED2003

PLAINTIFF BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A  
BENEFICIAL MORTGAGE CO. OF PENNSYLVANIA

DEFENDANT SAMUEL WHARTON  
ROSEMARIE WHARTON

PERSON/CORP TO SERVED	PAPERS TO SERVED
ROSEMARIE WHARTON	WRIT OF EXECUTION - MORTGAGE
542 E. 9TH ST.	FORECLOSURE
BERWICK	

SERVED UPON Robin McConick

RELATIONSHIP Sister IDENTIFICATION \_\_\_\_\_

DATE 12-16 TIME 0906 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

Race \_\_\_\_\_ Sex \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Eyes \_\_\_\_\_ Hair \_\_\_\_\_ Age \_\_\_\_\_ Military \_\_\_\_\_

TYPE OF SERVICE: A. PERSONAL SERVICE AT POA \_\_\_\_\_ POB \_\_\_\_\_ POE \_\_\_\_\_ CCSO \_\_\_\_\_  
B. HOUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA  
C. CORPORATION MANAGING AGENT  
D. REGISTERED AGENT  
E. NOT FOUND AT PLACE OF ATTEMPTED SERVICE

F. OTHER (SPECIFY) \_\_\_\_\_

ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

DEPUTY

DATE

12-16-03

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 12/5/2003

SERVICE# 1 - OF - 15 SERVICES  
DOCKET # 173ED2003

PLAINTIFF BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A  
BENEFICIAL MORTGAGE CO. OF PENNSYLVANIA

DEFENDANT SAMUEL WHARTON  
ROSEMARIE WHARTON

PERSON/CORP TO SERVED	PAPERS TO SERVED
SAMUEL WHARTON	WRIT OF EXECUTION - MORTGAGE
216 W 5TH ST.	FORECLOSURE
BLOOMSBURG	

SERVED UPON SPM

RELATIONSHIP \_\_\_\_\_ IDENTIFICATION \_\_\_\_\_

DATE 12-11 TIME 0630 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

Race \_\_\_\_\_ Sex \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Eyes \_\_\_\_\_ Hair \_\_\_\_\_ Age \_\_\_\_\_ Military \_\_\_\_\_

TYPE OF SERVICE: A. PERSONAL SERVICE AT POA \_\_\_ POB \_\_\_ POE \_\_\_ CCSO \_\_\_  
B. HOUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA  
C. CORPORATION MANAGING AGENT  
D. REGISTERED AGENT  
E. NOT FOUND AT PLACE OF ATTEMPTED SERVICE

F. OTHER (SPECIFY) \_\_\_\_\_

ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

12-10-3 1245 ARTER Cred

DEPUTY

DATE

12-11-03

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 12/5/2003

SERVICE# 6 - OF - 15 SERVICES  
DOCKET # 173ED2003

PLAINTIFF BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A  
BENEFICIAL MORTGAGE CO. OF PENNSYLVANIA

DEFENDANT SAMUEL WHARTON  
ROSEMARIE WHARTON

PERSON/CORP TO SERVED	PAPERS TO SERVED
COLUMBIA COUNTY TREASURER	WRIT OF EXECUTION - MORTGAGE
PO BOX 380	FORECLOSURE
BLOOMSBURG	

SERVED UPON Penne Newhart

RELATIONSHIP \_\_\_\_\_ IDENTIFICATION \_\_\_\_\_

DATE 12-9-03 TIME 1545 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

Race \_\_\_\_\_ Sex \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Eyes \_\_\_\_\_ Hair \_\_\_\_\_ Age \_\_\_\_\_ Military \_\_\_\_\_

TYPE OF SERVICE: A. PERSONAL SERVICE AT POA \_\_\_\_\_ POB \_\_\_\_\_ POE \_\_\_\_\_ CCSO \_\_\_\_\_  
B. HOUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA  
C. CORPORATION MANAGING AGENT  
D. REGISTERED AGENT  
E. NOT FOUND AT PLACE OF ATTEMPTED SERVICE

F. OTHER (SPECIFY) \_\_\_\_\_

ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEPUTY

J. Carter

DATE

12-9-03

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 12/5/2003

SERVICE# 7 - OF - 15 SERVICES  
DOCKET # 173ED2003

PLAINTIFF BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A  
BENEFICIAL MORTGAGE CO. OF PENNSYLVANIA

DEFENDANT SAMUEL WHARTON  
ROSEMARIE WHARTON

PERSON/CORP TO SERVED
BLOOMSBURG SEWER
E. 2ND ST.
BLOOMSBURG

PAPERS TO SERVED  
WRIT OF EXECUTION - MORTGAGE  
FORECLOSURE

SERVED UPON AMBER ~~1500~~ KENNEY

RELATIONSHIP \_\_\_\_\_ IDENTIFICATION \_\_\_\_\_

DATE 12-9-3 TIME 1600 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

Race \_\_\_\_ Sex \_\_\_\_ Height \_\_\_\_ Weight \_\_\_\_ Eyes \_\_\_\_ Hair \_\_\_\_ Age \_\_\_\_ Military \_\_\_\_

TYPE OF SERVICE: A. PERSONAL SERVICE AT POA \_\_\_\_ POB \_\_\_\_ POE \_\_\_\_ CCSO \_\_\_\_  
B. HOUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA  
C. CORPORATION MANAGING AGENT  
D. REGISTERED AGENT  
E. NOT FOUND AT PLACE OF ATTEMPTED SERVICE

F. OTHER (SPECIFY) \_\_\_\_\_

ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEPUTY

J. Carter

DATE 12-9-3

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 12/5/2003

SERVICE# 8 - OF - 15 SERVICES  
DOCKET # 173ED2003

PLAINTIFF BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A  
BENEFICIAL MORTGAGE CO. OF PENNSYLVANIA

DEFENDANT SAMUEL WHARTON  
ROSEMARIE WHARTON

PERSON/CORP TO SERVED	PAPERS TO SERVED
MARY WARD-TAX COLLECTOR	WRIT OF EXECUTION - MORTGAGE
E 2ND ST.	FORECLOSURE
BLOOMSBURG	

SERVED UPON MARY

RELATIONSHIP \_\_\_\_\_ IDENTIFICATION \_\_\_\_\_

DATE 12-9-3 TIME 1600 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

Race \_\_\_\_\_ Sex \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Eyes \_\_\_\_\_ Hair \_\_\_\_\_ Age \_\_\_\_\_ Military \_\_\_\_\_

TYPE OF SERVICE: A. PERSONAL SERVICE AT POA \_\_\_\_\_ POB \_\_\_\_\_ POE \_\_\_\_\_ CCSO \_\_\_\_\_  
B. HOUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA  
C. CORPORATION MANAGING AGENT  
D. REGISTERED AGENT  
E. NOT FOUND AT PLACE OF ATTEMPTED SERVICE

F. OTHER (SPECIFY) \_\_\_\_\_

ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEPUTY

J. C. C. C.

DATE 12-9-3

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 12/5/2003

SERVICE# 9 - OF - 15 SERVICES  
DOCKET # 173ED2003

PLAINTIFF BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A  
BENEFICIAL MORTGAGE CO. OF PENNSYLVANIA

DEFENDANT SAMUEL WHARTON  
ROSEMARIE WHARTON

<b>PERSON/CORP TO SERVED</b>	<b>PAPERS TO SERVED</b>
DOMESTIC RELATIONS	WRIT OF EXECUTION - MORTGAGE
15 PERRY AVE.	FORECLOSURE
BLOOMSBURG	

SERVED UPON Asli Khan Cust SVS

RELATIONSHIP \_\_\_\_\_ IDENTIFICATION \_\_\_\_\_

DATE 12-9-3 TIME 1615 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

Race \_\_\_\_\_ Sex \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Eys \_\_\_\_\_ Hair \_\_\_\_\_ Age \_\_\_\_\_ Military \_\_\_\_\_

TYPE OF SERVICE: A. PERSONAL SERVICE AT POA \_\_\_\_\_ POB \_\_\_\_\_ POE \_\_\_\_\_ CCSO \_\_\_\_\_  
B. HOUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA  
C. CORPORATION MANAGING AGENT  
D. REGISTERED AGENT  
E. NOT FOUND AT PLACE OF ATTEMPTED SERVICE

F. OTHER (SPECIFY) \_\_\_\_\_

ATTEMPTS			
DATE	TIME	OFFICER	REMARKS
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DEPUTY J. Cate DATE 12-9-3



# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 12/5/2003

SERVICE# 12 - OF - 15 SERVICES  
DOCKET # 173ED2003

PLAINTIFF BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A  
BENEFICIAL MORTGAGE CO. OF PENNSYLVANIA

DEFENDANT SAMUEL WHARTON  
ROSEMARIE WHARTON

PERSON/CORP TO SERVED	PAPERS TO SERVED
COLUMBIA COUNTY TAX CLAIM	WRIT OF EXECUTION - MORTGAGE
PO BOX 380	FORECLOSURE
BLOOMSBURG	

SERVED UPON Deborah A. Miller

RELATIONSHIP \_\_\_\_\_ IDENTIFICATION \_\_\_\_\_

DATE 12-9-3 TIME 1545 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

Race \_\_\_\_\_ Sex \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Eyes \_\_\_\_\_ Hair \_\_\_\_\_ Age \_\_\_\_\_ Military \_\_\_\_\_

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D. REGISTERED AGENT  
E. NOT FOUND AT PLACE OF ATTEMPTED SERVICE

F. OTHER (SPECIFY) \_\_\_\_\_

ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEPUTY

J. L. Lutz

DATE 12-9-3

# REAL ESTATE OUTLINE

ED # 173-03

DATE RECEIVED 12-5-03  
DOCKET AND INDEX 12-9-03  
SET FILE FOLDER UP 12-9-03

## CHECK FOR PROPER INFO.

WRIT OF EXECUTION ✓  
COPY OF DESCRIPTION ✓  
WHEREABOUTS OF LKA ✓  
NON-MILITARY AFFIDAVIT ✓  
NOTICES OF SHERIFF SALE ✓  
WATCHMAN RELEASE FORM ✓  
AFFIDAVIT OF LIENS LIST ✓  
CHECK FOR ~~\$1,350.00~~ OR 2000.00 ✓ CK# 773665422

**\*\*IF ANY OF ABOVE IS MISSING DO NOT PROCEED\*\***

SALE DATE March 3, 2004 TIME 0900  
POSTING DATE Jan, 28, 2004  
ADV. DATES FOR NEWSPAPER  
1<sup>ST</sup> WEEK Feb. 11  
2<sup>ND</sup> WEEK 18  
3<sup>RD</sup> WEEK 25, 04

# SHERIFF'S SALE

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WEDNESDAY MARCH 3, 2004 AT 9:00 AM

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BY VIRTUE OF A WRIT OF EXECUTION NO. 173 OF 2003 ED AND CIVIL WRIT NO. 776 OF 2003 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 piece and parcel of land situate in the Town of Bloomsburg, Columbia County, Pennsylvania, bounded and described as follows:

BEGINNING at a corner on the south side of Fifth Street 90.2 feet west from the southwest corner of Fifth and Jefferson Streets; THENCE in a southerly direction along land now or formerly of Jessie Conner Ikeler, parallel with Market Street, 182 feet to a corner on the northern side of Sterner alley; THENCE by the same in a westerly direction, 49 feet to a corner in line of land now or formerly of Peter D. Polites; THENCE by the same in a northerly direction on a line parallel with Market Street, 182 feet to a corner on the south side of Fifth Street; THENCE by the same in an easterly direction, 49 feet to a corner, the place of beginning.

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BEING the same premises which Henry N. Flick and Mary I. Flick, his wife, by their deed dated January 15, 1979, and recorded in Columbia County Deed Book 290, page 878, granted and conveyed unto Samuel N. Wharton, Jr.

## 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  
Herbert Henderson  
36 East King St.  
Lancaster, PA 17602

Sheriff of Columbia County  
Harry A. Roadarmel, Jr.  
[www.sheriffofcolumbiacounty.com](http://www.sheriffofcolumbiacounty.com)

# SHERIFF'S SALE

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Plaintiff's Attorney  
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36 East King St.  
Lancaster, PA 17602

Sheriff of Columbia County  
Harry A. Roadarmel, Jr.  
[www.sheriffofcolumbiacounty.com](http://www.sheriffofcolumbiacounty.com)

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT  
COMPANY d/b/a BENEFICIAL MORTGAGE  
CO. OF PENNSYLVANIA

Plaintiff

vs.

SAMUEL N. WHARTON and  
ROSEMARIE WHARTON,

Defendants

No. 776CV2003

ACTION IN  
MORTGAGE FORECLOSURE

*2003-ED-173*

**WRIT OF EXECUTION**

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF COLUMBIA

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 properties described below:

See attached legal description

HAVING erected thereon a dwelling known as 216 West 5<sup>th</sup> Street, Bloomsburg, PA 17815

BEING designated as Parcel No. 05W-03-161.

X Affidavit of Non-Military Service filed.

Dated: 12-05-2003

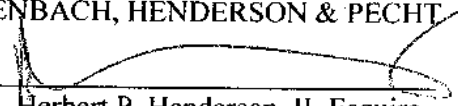
Amount Due ..... \$105,317.74

Interest ..... \$ 2,928.80

Prothy. Costs ..... \$ \_\_\_\_\_

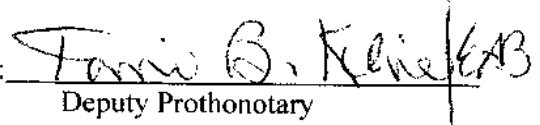
Sheriff's Costs ..... \$ \_\_\_\_\_

REIDENBACH, HENDERSON & PECHT

By:   
Herbert P. Henderson, II, Esquire  
Attorney I.D. No. 56304  
36 East King Street  
Lancaster, PA 17602  
(717) 295-9159

Prothonotary, Court of Common Pleas of  
Perry County, Pennsylvania

(SEAL)

By:   
Deputy Prothonotary

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT  
COMPANY d/b/a BENEFICIAL MORTGAGE  
CO. OF PENNSYLVANIA

Plaintiff

vs.

SAMUEL N. WHARTON and  
ROSEMARIE WHARTON,

Defendants

No. 776CV2003

ACTION IN  
MORTGAGE FORECLOSURE

*203 ED-173*

**WRIT OF EXECUTION**

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COUNTY OF COLUMBIA

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Sheriff's Costs ..... \$

REIDENBACH, HENDERSON & PECHT

By:

*[Signature]*  
Herbert P. Henderson, II, Esquire  
Attorney I.D. No. 56304  
36 East King Street  
Lancaster, PA 17602  
(717) 295-9159

Prothonotary, Court of Common Pleas of  
Perry County, Pennsylvania

(SEAL)

By:

*Fanni B. Kline/EAB*  
Deputy Prothonotary

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT	:	
COMPANY d/b/a BENEFICIAL MORTGAGE	:	
CO. OF PENNSYLVANIA	:	No. 776CV2003
Plaintiff	:	
vs.	:	ACTION IN
	:	MORTGAGE FORECLOSURE
SAMUEL N. WHARTON and	:	<i>2003-2-D-173</i>
ROSEMARIE WHARTON,	:	
Defendants	:	

**NOTICE OF SHERIFF'S SALE OF REAL ESTATE**

TO: Samuel N. Wharton	Rosemarie Wharton
216 West 5 <sup>th</sup> Street	542 E 9 <sup>th</sup> Street #ES
Bloomsburg, PA 17815	Berwick, PA 18603

TAKE NOTICE that by virtue of the above Writ of Execution issued out of the Court of Common Pleas of Columbia County, Pennsylvania and to the Sheriff of Columbia County, directed, there will be exposed to Public Sale in

COLUMBIA COUNTY COURTHOUSE  
P.O. BOX 380  
BLOOMSBURG, PA 17815

On \_\_\_\_\_ at \_\_\_\_\_ a.m. E.S.T., of the following described real estate, of Defendant,

[ FOUND ON THE MORTGAGE] ALL THAT CERTAIN piece or parcel of ground situate in the Town of Bloomsburg, Columbia County, Pennsylvania, being more fully described in a Deed dated 1/15/1979 and recorded 1/16/1979, among the land records of the County and State set forth above. In Deed Volume 290 and Page 878 and Tax Map or Parcel Id No. 05W-03-161.

at Execution No.776CV2003 in the amount of \$114,626.24 plus costs.

Claims against property must be filed at the Office of the Sheriff before the above sale date.

Claims to proceeds must be made with the Office of the Sheriff before distribution.

Schedule of Distribution will be filed with the Office of the Sheriff no later than thirty (30) days from the sale date.

Exceptions to Distribution or a Petition to Set Aside the Sale must be filed with the Office of the Sheriff not later than ten (10) days from the date when the Schedule of Distribution is filed in the Office of the Sheriff.

Attached hereto is a copy of the Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken away to pay the judgment. You have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, **you must act promptly**.

YOU SHOULD TAKE THIS NOTICE AND THE WRIT OF EXECUTION TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL ADVICE.

FRED TRUMP  
COURT ADMINISTRATOR  
COLUMBIA COUNTY COURTHOUSE  
BLOOMSBURG, PA 16830  
(570) 784-1991

You may have legal rights to prevent the Sheriff's Sale and the loss of your property. In order to exercise those rights prompt action on your part is necessary. A lawyer may be able to help you.

You may have the right to prevent or delay the Sheriff's Sale by filing, before the sale occurs, a petition to open or strike the judgment or a petition to stay the execution.

If the judgment was entered because you did not file with the Court a defense or objection you might have within twenty (20) days after service of the Complaint for Mortgage Foreclosure and Notice to Defend, you may have the right to have the judgment opened if you promptly file a petition with the Court alleging a valid defense and a reasonable excuse for failing to file the defense on time. If the judgment is opened the Sheriff's Sale would ordinarily be delayed pending a trial of the issue of whether the plaintiff has a valid claim to foreclose the mortgage or judgment.

You may also have the right to petition the Court to stay or delay the execution and the Sheriff's Sale if you can show a defect in the Writ of Execution or service or demonstrate any other legal or equitable right.

YOU MAY HAVE THE RIGHT TO HAVE THE SHERIFF'S SALE SET ASIDE IF



THE PROPERTY IS SOLD FOR A GROSSLY INADEQUATE PRICE OR THERE ARE DEFECTS IN THE SHERIFF'S SALE. TO EXERCISE THIS RIGHT YOU SHOULD FILE A PETITION WITH THE COURT AFTER THE SALE AND BEFORE THE SHERIFF HAS DELIVERED HIS DEED TO THE PROPERTY. THE SHERIFF WILL DELIVER THE DEED IF NO PETITION TO SET ASIDE THE SALE IS FILED WITHIN TEN (10) DAYS FROM THE DATE WHEN THE SCHEDULE OF DISTRIBUTION IS FILED IN THE OFFICE OF THE SHERIFF.

REIDENBACH, HENDERSON & PECHT

By: 

Herbert P. Henderson, II, Esquire  
36 East King Street  
Lancaster, PA 17602  
(717) 295-9159

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CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA :

Plaintiff :

vs. :

SAMUEL N. WHARTON and :  
ROSEMARIE WHARTON, :

Defendants :

No. 776CV2003

ACTION IN  
MORTGAGE FORECLOSURE

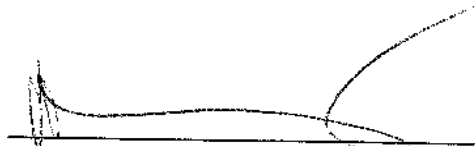
*2003-ED-173*

**AFFIDAVIT OF LAST KNOWN MAILING ADDRESS**

I, Herbert P. Henderson, II, Esquire hereby affirm that the last known mailing address for  
the above-captioned Defendants is as follows:

Samuel N. Wharton  
216 West 5<sup>th</sup> Street  
Bloomsburg, PA 17815

Rosemarie Wharton  
542 E 9<sup>th</sup> Street #ES  
Berwick, PA 18603

  
Herbert P. Henderson, II, Esquire  
36 East King Street  
Lancaster, PA 17602  
(717) 295-9159  
Attorney for Plaintiff

Dated: *12/3/03*



IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA :

Plaintiff :

vs. :

SAMUEL N. WHARTON and :  
ROSEMARIE WHARTON, :

Defendants :

No. 776CV2003

ACTION IN  
MORTGAGE FORECLOSURE

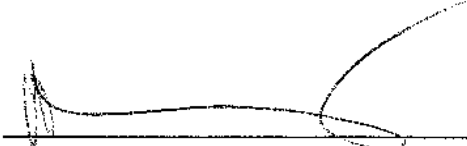
*203-ED-173*

**AFFIDAVIT OF LAST KNOWN MAILING ADDRESS**

I, Herbert P. Henderson, II, Esquire hereby affirm that the last known mailing address for  
the above-captioned Defendants is as follows:

Samuel N. Wharton  
216 West 5<sup>th</sup> Street  
Bloomsburg, PA 17815

Rosemarie Wharton  
542 E 9<sup>th</sup> Street #ES  
Berwick, PA 18603

  
Herbert P. Henderson, II, Esquire  
36 East King Street  
Lancaster, PA 17602  
(717) 295-9159  
Attorney for Plaintiff

Dated: *12/3/03*

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA :

Plaintiff :

vs. :

SAMUEL N. WHARTON and  
ROSEMARIE WHARTON,

Defendants :

No. 776CV2003

ACTION IN  
MORTGAGE FORECLOSURE

*2003. E.D. 173*


**AFFIDAVIT AS TO MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA :

SS

COUNTY OF LANCASTER :

HERBERT P. HENDERSON, II, ESQUIRE, attorney for Plaintiff in the above captioned matter hereby depose and state that he is unable to ascertain whether Defendants are in the military service pursuant to the Soldiers' and Sailors' Civil Relief Act of October 17, 1940, as amended.

  
Herbert P. Henderson, II, Esq.  
Attorney for Plaintiff  
Attorney ID #56304

Sworn to and subscribed )  
before me this *2nd* Day )  
of *December*, 2003. )  
*Maura M. Keener* )  
Notary Public

NOTARIAL SEAL  
MAURA M. KEENER, NOTARY PUBLIC  
CITY OF LANCASTER, LANCASTER CO.  
MY COMMISSION EXPIRES MAY 13, 2006

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA :

Plaintiff :

vs. :

SAMUEL N. WHARTON and :  
ROSEMARIE WHARTON, :

Defendants :

No. 776CV2003

ACTION IN  
MORTGAGE FORECLOSURE

*2003 LD-173*


**AFFIDAVIT AS TO MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA :

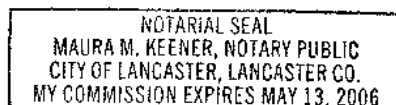
SS

COUNTY OF LANCASTER :

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Herbert P. Henderson, II, Esq.  
Attorney for Plaintiff  
Attorney ID #56304

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*Maura M. Keener* )  
Notary Public )



IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA :

Plaintiff :

vs. :

SAMUEL N. WHARTON and :  
ROSEMARIE WHARTON, :

Defendants :


No. 776CV2003

ACTION IN  
MORTGAGE FORECLOSURE

*2003 CD 173*

**AFFIDAVIT OF ACT 91 OF 1983**

I, Herbert P. Henderson, II, Esquire, hereby affirm that on or about May 27, 2003 I sent the requisite Notice pursuant to Act 91 of 1983 to the above-captioned Defendant relating to the properties that are the subject of the above-captioned Action in Mortgage Foreclosure.

  
Herbert P. Henderson, II, Esquire  
36 East King Street  
Lancaster, PA 17602  
(717) 295-9159  
Attorney for the Plaintiff

Dated: *12/3/03*

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA :

Plaintiff :

vs. :

SAMUEL N. WHARTON and :  
ROSEMARIE WHARTON, :

Defendants :

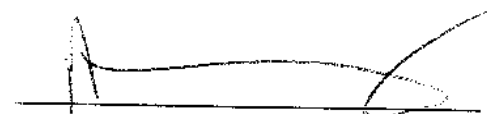
No. 776CV2003

ACTION IN  
MORTGAGE FORECLOSURE

*2003 ED-173*

**AFFIDAVIT OF ACT 91 OF 1983**

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Herbert P. Henderson, II, Esquire  
36 East King Street  
Lancaster, PA 17602  
(717) 295-9159  
Attorney for the Plaintiff

Dated: *12/3/03*

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA :

Plaintiff :

vs. :

SAMUEL N. WHARTON and  
ROSEMARIE WHARTON,

Defendants :

No. 776CV2003

ACTION IN  
MORTGAGE FORECLOSURE

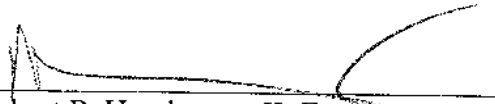
*2003-ED-173*

WAIVER OF WATCHMAN

I, Herbert P. Henderson, II, do hereby state that any Deputy Sheriff or Sheriff levying upon or attaching any property under the writ issued in the above-captioned matter may leave same without a watchman, in custody of whomever is found in possession, after notifying such person of such levy or attachment, without liability of the part of such Deputy Sheriff or Sheriff to any plaintiff herein for any loss, destruction or removal of any such property before the Sheriff's sale thereof.

REIDENBACH, HENDERSON & PECHT

By:

  
Herbert P. Henderson, II, Esquire  
Attorney for Plaintiff  
36 East King Street  
Lancaster, PA 17602  
(717) 295-9159  
Attorney I.D. No. 56304

Dated:

Sworn and subscribed )

before me this *2nd* Day )

of *December* 2003. )

*Maura M. Keener* )

NOTARIAL SEAL  
MAURA M. KEENER, NOTARY PUBLIC  
CITY OF LANCASTER, LANCASTER CO.  
MY COMMISSION EXPIRES MAY 13, 2006

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA :

Plaintiff :

vs. :

SAMUEL N. WHARTON and  
ROSEMARIE WHARTON,

Defendants :

No. 776CV2003

ACTION IN  
MORTGAGE FORECLOSURE

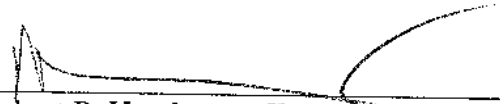
*2003-01-173*

WAIVER OF WATCHMAN

I, Herbert P. Henderson, II, do hereby state that any Deputy Sheriff or Sheriff levying upon or attaching any property under the writ issued in the above-captioned matter may leave same without a watchman, in custody of whomever is found in possession, after notifying such person of such levy or attachment, without liability of the part of such Deputy Sheriff or Sheriff to any plaintiff herein for any loss, destruction or removal of any such property before the Sheriff's sale thereof.

REIDENBACH, HENDERSON & PECHT

By:

  
Herbert P. Henderson, II, Esquire  
Attorney for Plaintiff  
36 East King Street  
Lancaster, PA 17602  
(717) 295-9159  
Attorney I.D. No. 56304

Dated:

Sworn and subscribed )

before me this *2nd* Day )

of *December* 2003. )

*Maura M. Keener* )

NOTARIAL SEAL  
MAURA M. KEENER, NOTARY PUBLIC  
CITY OF LANCASTER, LANCASTER CO.  
MY COMMISSION EXPIRES MAY 13, 2006

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA :

Plaintiff :

vs. :

SAMUEL N. WHARTON and :  
ROSEMARIE WHARTON, :

Defendants :

No. 776CV2003

ACTION IN  
MORTGAGE FORECLOSURE

*2023-ED 173*

**AFFIDAVIT PURSUANT TO RULE 3129.1**

Beneficial Consumer Discount Company, doing business as Beneficial Mortgage Co. of Pennsylvania, Plaintiff in the above action, sets forth as of the date the Praecipe for the Writ of Execution was filed to the following information concerning the real property located at 216 West 5<sup>th</sup> Street, Bloomsburg, PA 17815.

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

Samuel N. Wharton  
216 West 5<sup>th</sup> Street  
Bloomsburg, PA 17815

Rosemarie Wharton  
542 E 9<sup>th</sup> Street #ES  
Berwick, PA 18603

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

Samuel N. Wharton  
216 West 5<sup>th</sup> Street  
Bloomsburg, PA 17815

Rosemarie Wharton  
542 E 9<sup>th</sup> Street #ES  
Berwick, PA 18603

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

Beneficial Consumer Discount Co. d/b/a  
Beneficial Mortgage Co. of Pennsylvania  
961 Weigel Drive  
P.O. Box 8634  
Elmhurst, IL 60126

Erie Materials, Inc

Midsouth Building Supply



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

Beneficial Consumer Discount Co. d/b/a  
Beneficial Mortgage Co. of Pennsylvania  
961 Weigel Drive  
P.O. Box 8634  
Elmhurst, IL 60126

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

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

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:

None

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

None

I verify the statements made in this Affidavit are true and correct to the best of my personal knowledge or information and belief and are based upon information received from Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Co. of Pennsylvania. I understand that false statements herein are made subject to the penalties of 18 PA C.S. Section 4904 relating to unsworn falsification to authorities.

BENEFICIAL CONSUMER DISCOUNT COMPANY,  
d/b/a BENEFICIAL MORTGAGE CO. OF  
PENNSYLVANIA

Date: 12/3/03

By: \_\_\_\_\_

Herbert P. Henderson, II,  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA : No. 776CV2003  
Plaintiff :  
vs. : ACTION IN  
MORTGAGE FORECLOSURE  
SAMUEL N. WHARTON and :  
ROSEMARIE WHARTON, :  
Defendants :

**AFFIDAVIT PURSUANT TO RULE 3129.1**

Beneficial Consumer Discount Company, doing business as Beneficial Mortgage Co. of Pennsylvania, Plaintiff in the above action, sets forth as of the date the Praecipe for the Writ of Execution was filed to the following information concerning the real property located at 216 West 5<sup>th</sup> Street, Bloomsburg, PA 17815.

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

Samuel N. Wharton	Rosemarie Wharton
216 West 5 <sup>th</sup> Street	542 E 9 <sup>th</sup> Street #ES
Bloomsburg, PA 17815	Berwick, PA 18603

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

Samuel N. Wharton	Rosemarie Wharton
216 West 5 <sup>th</sup> Street	542 E 9 <sup>th</sup> Street #ES
Bloomsburg, PA 17815	Berwick, PA 18603

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

Beneficial Consumer Discount Co. d/b/a  
Beneficial Mortgage Co. of Pennsylvania  
961 Weigel Drive  
P.O. Box 8634  
Elmhurst, IL 60126

Erie Materials, Inc

1133 P/in Ave.  
Pittsburgh 15222

Midsouth Building Supply

PO 11848

Harrisburg 17108

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

Beneficial Consumer Discount Co. d/b/a  
Beneficial Mortgage Co. of Pennsylvania  
961 Weigel Drive  
P.O. Box 8634  
Elmhurst, IL 60126

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

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

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:

None

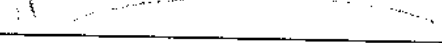
7. Name and address of every other person of whom the Plaintiff has knowledge who has any interest in the property which may be affected by the sale:

None

I verify the statements made in this Affidavit are true and correct to the best of my personal knowledge or information and belief and are based upon information received from Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Co. of Pennsylvania. I understand that false statements herein are made subject to the penalties of 18 PA C.S. Section 4904 relating to unsworn falsification to authorities.

BENEFICIAL CONSUMER DISCOUNT COMPANY,  
d/b/a BENEFICIAL MORTGAGE CO. OF  
PENNSYLVANIA

Date: 12-13-11

By:   
Herbert P. Henderson, II,  
Attorney for Plaintiff

ALL that certain piece and parcel of land situate in the Town of Bloomsburg, Columbia County, Pennsylvania, bounded and described as follows:

BEGINNING at a corner on the south side of Fifth Street 90.2 feet west from the southwest corner of Fifth and Jefferson Streets;

THENCE in a southerly direction along land now or formerly of Jessie Conner Ikeler, parallel with Market Street, 182 feet to a corner on the northern side of Sterner alley;

THENCE by the same in a westerly direction, 49 feet to a corner in line of land now or formerly of Peter D. Polites;

THENCE by the same in a northerly direction on a line parallel with Market Street, 182 feet to a corner on the south side of Fifth Street;

THENCE by the same in an easterly direction, 49 feet to a corner, the place of beginning.

WHEREON is erected a two and one-half story frame dwelling house.

BEING the same premises which Henry N. Flick and Mary I. Flick, his wife, by their deed dated January 15, 1979, and recorded in Columbia County Deed Book 290, page 878, granted and conveyed unto Samuel N. Wharton, Jr.

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA :

Plaintiff :

vs. :

SAMUEL N. WHARTON and  
ROSEMARIE WHARTON,

Defendants :

No. 776CV2003

ACTION IN  
MORTGAGE FORECLOSURE

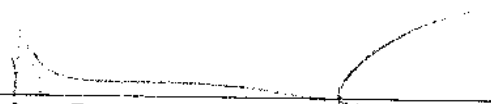
*2003*

WAIVER OF WATCHMAN

I, Herbert P. Henderson, II, do hereby state that any Deputy Sheriff or Sheriff levying upon or attaching any property under the writ issued in the above-captioned matter may leave same without a watchman, in custody of whomever is found in possession, after notifying such person of such levy or attachment, without liability of the part of such Deputy Sheriff or Sheriff to any plaintiff herein for any loss, destruction or removal of any such property before the Sheriff's sale thereof.

REIDENBACH, HENDERSON & PECHT

By:

  
Herbert P. Henderson, II, Esquire  
Attorney for Plaintiff  
36 East King Street  
Lancaster, PA 17602  
(717) 295-9159  
Attorney I.D. No. 56304

Dated:

Sworn and subscribed )

before me this *20th* Day )

of *December*, 2003. )

*Maura M. Keener* )

NOTARIAL SEAL  
MAURA M. KEENER, NOTARY PUBLIC  
CITY OF LANCASTER, LANCASTER CO.  
MY COMMISSION EXPIRES MAY 13, 2006

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA :

Plaintiff :

vs. :

SAMUEL N. WHARTON and :  
ROSEMARIE WHARTON, :


Defendants :

No. 776CV2003

ACTION IN  
MORTGAGE FORECLOSURE

**AFFIDAVIT OF ACT 91 OF 1983**

I, Herbert P. Henderson, II, Esquire, hereby affirm that on or about May 27, 2003 I sent the requisite Notice pursuant to Act 91 of 1983 to the above-captioned Defendant relating to the properties that are the subject of the above-captioned Action in Mortgage Foreclosure.

  
Herbert P. Henderson, II, Esquire  
36 East King Street  
Lancaster, PA 17602  
(717) 295-9159  
Attorney for the Plaintiff

Dated: 10/16/03

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA :

Plaintiff :

vs. :

SAMUEL N. WHARTON and :  
ROSEMARIE WHARTON, :

Defendants :

No. 776CV2003

ACTION IN  
MORTGAGE FORECLOSURE

*Settled*


**AFFIDAVIT AS TO MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA :

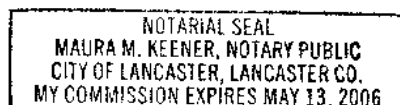
: SS

COUNTY OF LANCASTER :

HERBERT P. HENDERSON, II, ESQUIRE, attorney for Plaintiff in the above captioned matter hereby depose and state that he is unable to ascertain whether Defendants are in the military service pursuant to the Soldiers' and Sailors' Civil Relief Act of October 17, 1940, as amended.

  
Herbert P. Henderson, II, Esq.  
Attorney for Plaintiff  
Attorney ID #56304

Sworn to and subscribed )  
before me this *2<sup>nd</sup>* Day )  
of *December*, 2003. )  
*Maura M. Keener* )  
Notary Public



IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BENEFICIAL CONSUMER DISCOUNT :  
COMPANY d/b/a BENEFICIAL MORTGAGE :  
CO. OF PENNSYLVANIA :

Plaintiff :

vs. :

SAMUEL N. WHARTON and :  
ROSEMARIE WHARTON, :

Defendants :

No. 776CV2003

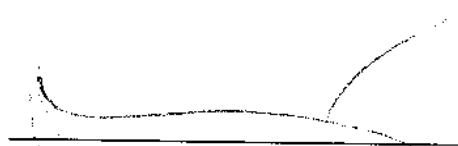
ACTION IN  
MORTGAGE FORECLOSURE

**AFFIDAVIT OF LAST KNOWN MAILING ADDRESS**

I, Herbert P. Henderson, II, Esquire hereby affirm that the last known mailing address for  
the above-captioned Defendants is as follows:

Samuel N. Wharton  
216 West 5<sup>th</sup> Street  
Bloomsburg, PA 17815

Rosemarie Wharton  
542 E 9<sup>th</sup> Street #ES  
Berwick, PA 18603

  
Herbert P. Henderson, II, Esquire  
36 East King Street  
Lancaster, PA 17602  
(717) 295-9159  
Attorney for Plaintiff

Dated: 12/6/03



THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW



961 Weigel Drive, Elmhurst, IL 60126

16-431971220

773665422

Issued by Integrated Payment Systems Inc., Englewood, Colorado  
Payable through HSBC Bank USA Los Angeles, CA

Pay Amount \*\*\*\$2,000.00\*\*\*

Date 11/10/2003

\*\*\*TWO THOUSAND AND XX / 100 US DOLLAR\*\*\*

Pay

To The  
Order  
Of

COLUMBIA COUNTY  
SHERIFFS OFFICE  
PO BOX 380  
BLOOMSBURG PA 17815

⑈700432⑈ ⑆122043194⑆ 25007736654229⑆