

SHERIFF'S SALE COST SHEET

Agelike Farm Credit vs. Gerald & Geraldine Newha A
 NO. 18-04 ED NO. 1251-03 JD DATE/TIME OF SALE 5/19/04

DOCKET/RETURN	\$15.00
SERVICE PER DEF.	\$ <u>165.00</u>
LEVY (PER PARCEL	\$15.00
MAILING COSTS	\$ <u>32.50</u>
ADVERTISING SALE BILLS & COPIES	\$17.50
ADVERTISING SALE (NEWSPAPER)	\$15.00
MILEAGE	\$ <u>20.00</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>5.50</u>
NOTARY	\$ <u>12.00</u>
TOTAL ***** \$ <u>322.50</u>	

WEB POSTING	1782	\$150.00
PRESS ENTERPRISE INC.	83	\$ <u>1177.76</u>
SOLICITOR'S SERVICES	84	\$75.00
TOTAL ***** \$ <u>1402.76</u>		

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

REAL ESTATE TAXES:

BORO, TWP & COUNTY 20	\$
SCHOOL DIST. 20	\$
DELINQUENT 20	\$ <u>5.00</u>
TOTAL ***** \$ <u>5.00</u>	

MUNICIPAL FEES DUE:

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

SURCHARGE FEE (DSTE)	\$ <u>120.00</u>
MISC. _____	\$
_____	\$
TOTAL ***** \$ <u>-0-</u>	

TOTAL COSTS (OPENING BID) \$ 1850.26
 1350.00 deposit
 500.26 due

1/19/04
5-13-04

LAW OFFICES
SAIDIS, SHUFF, FLOWER & LINDSAY

A PROFESSIONAL CORPORATION
2109 MARKET STREET

CAMP HILL, PENNSYLVANIA 17011

TELEPHONE: (717) 737-3405 - FACSIMILE: (717) 737-3407

EMAIL: meshelman@ssfl-law.com

www.ssfl-law.com

JOHN E. SLIKE
ROBERT C. SAIDIS
GEOFFREY S. SHUFF
JAMES D. FLOWER, JR.
CAROL J. LINDSAY
MATTHEW J. ESHELMAN[†]
KIRK S. SOHONAGE
THOMAS E. FLOWER
LINDSAY GINGRICH MACLAY
JACLYN M. SMITH

CARLISLE OFFICE:

26 W. HIGH STREET

CARLISLE, PA 17013

TELEPHONE: (717) 243-6222

FACSIMILE: (717) 243-6486

REPLY TO CAMP HILL

TO: Timothy T. Chamberlain, Acting Sheriff

FAX #: 570-389-5625

FROM: Matthew J. Eshelman, Esquire

DATE: May 11, 2004

RE: AgChoice vs. Newhart Sale

1 PAGES (INCLUDING COVER SHEET) **Original will follow via mail**

Per our discussion of this afternoon, kindly stay the Sheriff's Sale of the Newhart property currently set for May 12, 2004, pursuant to Pa. R.C.P. No. 3121(a)(1). Likewise, please forward us a final costs sheet at your convenience.

- Matt



cc: Tom Rajchel, AgChoice Farm Credit, ACA

[†] Board Certified by the American Board of Certification in Creditors' Rights Representation

**IF YOU DO NOT RECEIVE ALL OF THE PAGES, OR IF ANY PAGES ARE UNCLEAR,
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IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE
U.S. POSTAL SERVICE. THANK YOU.**

SAIDIS, SHUFF, FLOWER & LINDSAY

ATTORNEYS AT LAW

26 WEST HIGH STREET

CARLISLE, PENNSYLVANIA 17013

GENERAL ACCOUNT



Harrisburg, PA

60-7238/2313

50298

07/08/2004

PAY TO THE ORDER OF Columbia County Sheriff

Five hundred and twenty-six/100***** \$ 500.26

DOLLARS

Columbia County Sheriff
Columbia County Courthouse, 35 West Main Street, P.O. Box 380
Bloomsburg, PA 17815

MEMO

⑈050298⑈ ⑆231372387⑆1708001103⑈

AUTHORIZED SIGNATURE

A handwritten signature in black ink, appearing to be 'J. Shuff' or similar, written over a horizontal line.

MAY 17 2004

SHERIFF'S SALE COST SHEET

Aschpice Farm Credit vs. Gerald & Geraldine Newhart
 NO. 18-04 ED NO. 1251-03 JD DATE/TIME OF SALE Stayed

DOCKET/RETURN	\$15.00
SERVICE PER DEF.	\$ <u>165.00</u>
LEVY (PER PARCEL	\$15.00
MAILING COSTS	\$ <u>32.50</u>
ADVERTISING SALE BILLS & COPIES	\$17.50
ADVERTISING SALE (NEWSPAPER)	\$15.00
MILEAGE	\$ <u>20.00</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>5.50</u>
NOTARY	\$ <u>12.00</u>
TOTAL *****	\$ <u>322.50</u>

WEB POSTING	\$150.00
PRESS ENTERPRISE INC.	\$ <u>1177.76</u>
SOLICITOR'S SERVICES	\$75.00
TOTAL *****	\$ <u>1402.76</u>

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

REAL ESTATE TAXES:		
BORO, TWP & COUNTY 20	\$	
SCHOOL DIST. 20	\$	
DELINQUENT 20	\$ <u>5.00</u>	
TOTAL *****	\$ <u>5.00</u>	

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

SURCHARGE FEE (DSTE)	\$ <u>120.00</u>
MISC. _____	\$ _____
_____	\$ _____
TOTAL *****	\$ <u>-0-</u>

TOTAL COSTS (OPENING BID)

\$ 1850.26
 1350.00 Deposit
 500.26 due

Columbus

SHERIFF'S SALE COST SHEET

At Choice Farm Credit vs. Gerald + Geraldine Newhart
 NO. 18-04 ED NO. 1251-03 JD DATE/TIME OF SALE 5-12-04 1000

DOCKET/RETURN	\$15.00
SERVICE PER DEF.	\$ <u>165.00</u>
LEVY (PER PARCEL	\$15.00
MAILING COSTS	\$ <u>32.50</u>
ADVERTISING SALE BILLS & COPIES	\$17.50
ADVERTISING SALE (NEWSPAPER)	\$15.00
MILEAGE	\$ <u>20.00</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>5.50</u>
NOTARY	\$ <u>12.00</u>
TOTAL ***** \$ <u>407.50</u>	

WEB POSTING	\$150.00
PRESS ENTERPRISE INC.	\$ <u>1177.76</u>
SOLICITOR'S SERVICES	\$75.00
TOTAL ***** \$ <u>1402.76</u>	

PROTHONOTARY (NOTARY)	\$10.00
RECORDER OF DEEDS	\$ <u>42.50</u>
TOTAL ***** \$ <u>52.50</u>	

REAL ESTATE TAXES:		
BORO, TWP & COUNTY 20	\$ <u>425.11</u>	
SCHOOL DIST. 20	\$	
DELINQUENT 20	\$ <u>5.00</u>	
TOTAL ***** \$ <u>430.11</u>		

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

SURCHARGE FEE (DSTE)	\$ <u>120.00</u>
MISC. _____	\$
_____	\$
TOTAL ***** \$ <u>-0-</u>	

TOTAL COSTS (OPENING BID) \$ 2412.87

14 1389.00

LAW OFFICES

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JACLYN M. SMITH

REPLY TO CAMP HILL

TO: Timothy T. Chamberlain, Acting Sheriff

FAX #: 570-389-5625

FROM: Matthew J. Eshelman, Esquire

DATE: May 11, 2004

RE: AgChoice vs. Newhart Sale

1 PAGES (INCLUDING COVER SHEET) Original will follow via mail

Per our discussion of this afternoon, kindly stay the Sheriff's Sale of the Newhart property currently set for May 12, 2004, pursuant to Pa. R.C.P. No. 3121(a)(1). Likewise, please forward us a final costs sheet at your convenience.

- Matt 

cc: Tom Rajchel, AgChoice Farm Credit, ACA

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COLUMBIA COUNTY SHERIFF'S OFFICE

SHERIFF'S REAL ESTATE FINAL COST SHEET

AG Choice Farm Credit vs Gerald & Geraldine Newhart

NO. 18-04 ED NO. 1251-03 JD

DATE/TIME OF SALE: 5-12-04 1000

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 \$ _____

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REPLY TO CAMP HILL

TO: Timothy T. Chamberlain, Acting Sheriff

FAX #: 570-389-5625

FROM: Matthew J. Eshelman, Esquire

DATE: April 14, 2004

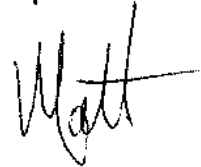
RE: AgChoice vs. Newhart Sale

1 PAGES (INCLUDING COVER SHEET)

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Per our discussion of this morning, kindly continue the Sheriff's Sale of the Newhart property until May 12, 2004, at 10:00 a.m., and make "public announcement thereof, including the new date, ... to the bidders assembled at the time and place originally fixed for the sale" pursuant to Pa. R.C.P. No. 3129.3(b).

- Matt



cc: Tom Rajchel, AgChoice Farm Credit, ACA

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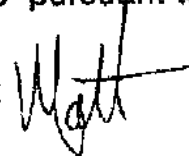
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Phone: 570-389-5622
Fax: 570-389-5625

**COLUMBIA COUNTY
SHERIFF'S OFFICE**

Fax

To: Matt

From: Timothy T. Chamberlain, Acting Sheriff

Fax:

Date: April 13, 2004

Phone:

Pages: 2

Re: Newhart

CC:

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

•Comments:

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.

AGCHOICE FARM CREDIT, ACA

VS.

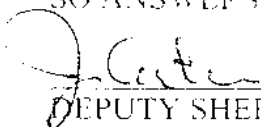
GERALD AND GERALDINE NEWHART

WRIT OF EXECUTION #18 OF 2004 ED

POSTING OF PROPERTY

MARCH 11, 2004 POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE
PROPERTY OF GERALD AND GERALDINE NEWHART AT 130 MENDENHALL ROAD BENTON
COLUMBIA COUNTY PENNSYLVANIA. SAID POSTING PERFORMED BY COLUMBIA COUNTY
DEPUTY SHERIFF J ARTER.

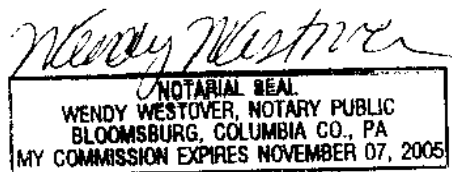
SO ANSWERS:


DEPUTY SHERIFF


TIMOTHY T. CHAMBERLAIN
ACTING SHERIFF

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 15TH DAY OF MARCH 2004





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

AGCHOICE FARM CREDIT, ACA

Docket # 18ED2004

VS

WRIT OF EXECUTION - MORTGAGE
FORECLOSURE

GERALD NEWHART AND GERALDINE
NEWHART

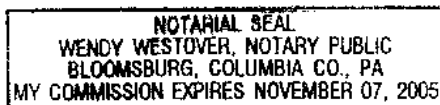
AFFIDAVIT OF SERVICE

NOW, THIS TUESDAY, FEBRUARY 10, 2004, AT 9:45 AM, SERVED THE WITHIN WRIT OF
EXECUTION - MORTGAGE FORECLOSURE UPON GERALD NEWHART AT 132
MENDENHALL ROAD, BENTON BY HANDING TO GERALD NEWHART, 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, FEBRUARY 12, 2004


NOTARY PUBLIC





X
TIMOTHY T. CHAMBERLAIN
ACTING SHERIFF


J. CARTER
DEPUTY SHERIFF



PHONE
(570) 389-5622

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

24 HOUR PHONE
(570) 784-6300

AGCHOICE FARM CREDIT, ACA

Docket # 18ED2004

VS

WRIT OF EXECUTION - MORTGAGE
FORECLOSURE

GERALD NEWHART AND GERALDINE
NEWHART

AFFIDAVIT OF SERVICE

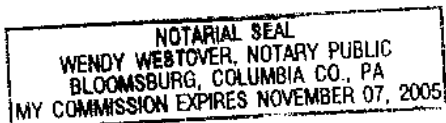
NOW, THIS TUESDAY, FEBRUARY 10, 2004, AT 9:45 AM, SERVED THE WITHIN WRIT OF
EXECUTION - MORTGAGE FORECLOSURE UPON GERALDINE NEWHART AT 132
MENDENHALL ROAD, BENTON BY HANDING TO GERALD NEWHART, HUSBAND, A TRUE
AND ATTESTED COPY OF THE ORIGINAL WRIT AND MADE KNOWN TO THEM THE
CONTENTS THEREOF.

SO ANSWERS,

SWORN AND SUBSCRIBED BEFORE ME
THIS THURSDAY, FEBRUARY 12, 2004




NOTARY PUBLIC





X

TIMOTHY T. CHAMBERLAIN
ACTING SHERIFF


X

J. ARTER
DEPUTY SHERIFF

STATE OF PENNSYLVANIA
COUNTY OF COLUMBIA } SS

Paul R. Eyerly IV, Associate Publisher, being duly sworn according to law deposes and says that Press Enterprisc 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 March 24, 31; April 7, 2004 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.

Paul R. Eyerly IV

Sworn and subscribed to before me this 12th day of April, 2004.

[Signature]

(Notary Public)

My commission expires Commonwealth of Pennsylvania

Notarial Seal
Dennis L. Ashenfelder, Notary Public
Scott Twp., Columbia County
My Commission Expires July 3, 2007

And now, I hereby certify, 2004 at the advertising and publication charges amounting to \$.....for publishing the foregoing notice, and the fee for this affidavit have been paid in full.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2 and 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:

INTERNAL REVENUE SERVICE
TECHNICAL SUPPORT GROUP
WILLIAM GREEN FEDERAL BUILDING
600 ARCH STREET ROOM 3259
PHILADELPHIA, PA 19106

2. Article Number

(Transfer from service label)

7002 2410 0001 8079 9057

PS Form 3811, August 2001

Domestic Return Receipt

2ACR11-03-Z-01

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2 and 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:

Option One Mortgage Company
PO Box 57065
Irvine, CA 92619

COMPLETE THIS SECTION ON DELIVERY

- A. Signature 18
[Signature] ☐ Agent
- B. Received by (Printed Name) ☐ Addressee
JAMES C. MANN
- 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 18
[Signature] ☐ Agent
- B. Received by (Printed Name) ☒ Addressee
- 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

2. Article Number 7002 2410 0001 8079 9019
(Transfer from service label)

PS Form 3811, August 2001

Domestic Return Receipt

2ACR11-03-Z-01

COLUMBIA COUNTY SHERIFF'S OFFICE

PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN
DATE RECEIVED 1/26/2004

SERVICE# 1 - OF - 12 SERVICES
DOCKET # 18ED2004

PLAINTIFF AGCHOICE FARM CREDIT, ACA

DEFENDANT GERALD NEWHART AND GERALDINE NEWHART

PERSON/CORP TO SERVED
GERALD NEWHART
132 MENDENHALL ROAD
BENTON

PAPERS TO SERVED
WRIT OF EXECUTION - MORTGAGE
FORECLOSURE

SERVED UPON GERALD

RELATIONSHIP _____ IDENTIFICATION _____

DATE 2-10-4 TIME 0945 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

1-20-4 1500 CHAMBERLAIN

1-23-4 1400 CHAMBERLAIN / DELORENZO

DEPUTY

J. Carter

DATE 2-10-4

COLUMBIA COUNTY SHERIFF'S OFFICE

PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN
DATE RECEIVED 1/26/2004

SERVICE# 2 - OF - 12 SERVICES
DOCKET # 18ED2004

PLAINTIFF AGCHOICE FARM CREDIT, ACA

DEFENDANT GERALD NEWHART AND GERALDINE NEWHART

PERSON/CORP TO SERVED
GERALDINE NEWHART
132 MENDENHALL ROAD
BENTON

PAPERS TO SERVED
WRIT OF EXECUTION - MORTGAGE
FORECLOSURE

SERVED UPON GERALD

RELATIONSHIP Husband IDENTIFICATION _____

DATE 2-10-4 TIME 0945 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

2-20-4 1500 ARTER CERO

2-3-4 1400 ARTER/DW/1470 CERO

DEPUTY

J. C. Carter

DATE 2-10-4

Feb 3, 2004

Dear Sirs;

Taxes for Gerald & Geraldine Newhart in 2003

Parcel # 19-10-009-00,000

City & Twp # 712.26 - Penalty Amt Paid 12/31/03

School # 2551.80 - FACE Amt Paid 10/31/03

Parcel # 19-10-009-01,000

City & Twp # 407.98 - Penalty Amt Paid 12/31/03

School # 1461.65 - FACE Amt Paid 10/31/03

This is the most current information.

Sincerely,

Cindy L Nettle

Tax Collector, Jackson Twp.

COLUMBIA COUNTY SHERIFF'S OFFICE

PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN
DATE RECEIVED 1/26/2004

SERVICE# 5 - OF - 12 SERVICES
DOCKET # 18ED2004

PLAINTIFF AGCHOICE FARM CREDIT, ACA

DEFENDANT GERALD NEWHART AND GERALDINE NEWHART

PERSON/CORP TO SERVED
CINDY HITTLE-TAX COLLECTOR
235 SHULTZ HOLLOW ROAD
BENTON

PAPERS TO SERVED
WRIT OF EXECUTION - MORTGAGE
FORECLOSURE

SERVED UPON Cindy

RELATIONSHIP _____ IDENTIFICATION _____

DATE 1-30-04 TIME 1315 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 1-30-04

COLUMBIA COUNTY SHERIFF'S OFFICE

PROCESS SERVICE ORDER

OFFICER:
DATE RECEIVED 1/26/2004

SERVICE# 6 - OF - 12 SERVICES
DOCKET # 18ED2004

PLAINTIFF AGCHOICE FARM CREDIT, ACA

DEFENDANT GERALD NEWHART AND GERALDINE NEWHART

PERSON/CORP TO SERVED
DOMESTIC RELATIONS
15 PERRY AVE.
BLOOMSBURG

PAPERS TO SERVED
WRIT OF EXECUTION - MORTGAGE
FORECLOSURE

SERVED UPON

Debra J. Newhart - West 513

RELATIONSHIP

IDENTIFICATION

DATE 1-27-4

TIME 11:36

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. Cade

DATE 1-27-4

COLUMBIA COUNTY SHERIFF'S OFFICE

PROCESS SERVICE ORDER

OFFICER:
DATE RECEIVED 1/26/2004

SERVICE# 9 - OF - 12 SERVICES
DOCKET # 18ED2004

PLAINTIFF AGCHOICE FARM CREDIT, ACA

DEFENDANT GERALD NEWHART AND GERALDINE NEWHART

PERSON/CORP TO SERVED
COLUMBIA COUNTY TAX CLAIM
PO BOX 380
BLOOMSBURG

PAPERS TO SERVED
WRIT OF EXECUTION - MORTGAGE
FORECLOSURE

SERVED UPON Gerald Newhart

RELATIONSHIP _____ IDENTIFICATION _____

DATE 1-27-4 TIME 0825 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

[Signature]

DATE 1-27-4

REAL ESTATE OUTLINE

ED # 18-04

DATE RECEIVED 1-26-04
DOCKET AND INDEX 1-26-04
SET FILE FOLDER UP 1-26-04

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 ✓ CK# 50100

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

SALE DATE Apr 14, 04 TIME 1000
POSTING DATE Mar 10, 04
ADV. DATES FOR NEWSPAPER
1ST WEEK Mar 24
2ND WEEK 31
3RD WEEK Apr 7, 04

19-10-009

SHERIFF'S SALE

WEDNESDAY APRIL 14, 2004 AT 10:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 18 OF 2004 ED AND CIVIL WRIT NO. 1251 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'S 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 THOSE TWO CERTAIN tracts of land situate in the township of Jackson, County of Columbia and Commonwealth of Pennsylvania, bounded and described as follows to-wit:

TRACT NO. 1:

BEGINNING at a chestnut stump corner of land now or late of Warren Kline, South 58 degrees 19 minutes East, 68 perches to a stone; thence by land now or late of A.B. Mendenhall, South 32 ¼ degrees West, 118 perches to a stone; thence by land now or late of C.O. Hartman and Mrs. C.N. Foust, North 58 ½ degrees West, 68 perches to a stone in the public road leading from Benton to Waller; thence by land now or late of Rachel Cole and Oscar Lewis, North 32 ¼ degrees East, 118 perches to the place of Beginning. Containing 50 acres, more or less.

TRACT NO. 2:

BEGINNING at a maple grub, thence by land now or formerly of Z.A. Butt, South 29 ½ degrees West 64 perches to a white oak sapling; thence by land late of Ezekiel Cole, North 58 ¾ degrees West 42 ¼ perches to a post; thence by land now or formerly of Samuel Kile, North 29 ½ degrees East 62.7 perches to a post; thence by land now or formerly of John Roberts, South 60 ½ degrees East 42 ¼ perches to the place of beginning. Containing 15 acres and 114 perches of land, more or less.

EXCEPTING AND RESERVING THEREFROM All that certain piece or parcel of land located in the Township of Jackson, County of Columbia and Commonwealth of Pennsylvania, granted and conveyed unto Gloria L. Ruane and Michael P. Ruane, husband and wife, bounded and described as follows, to-wit:

BEGINNING at an iron pin set at the southeasterly corner of lands now or late of Anna D. Newhart and the southwesterly corner of lands now or late of Fred J. and Edith Y. Hess; thence along lands now or late of J. Nevin Hartman, North 48 degrees 10 minutes 42 seconds West 480.92 feet to an iron pin set on the western edge of the right-of-way of Township Route No. 720; thence along the western edge of the right-of-way of Township Route No. 720, North 32 degrees 03 minutes 33 seconds West 104.09 feet to an iron pin set; thence through lands of Anna D. Newhart, North 41 degrees 49 minutes 18 seconds East 50.00 feet to an iron pin set; thence through lands of the same, South 32 degrees 03 minutes 35 seconds East 104.09 feet to an iron pin set; thence through lands of the same, South 48 degrees 10 minutes 42 seconds East 281.27 feet to an iron pin set; thence through lands of the same, North 42 degrees 13 minutes 38 seconds East 351.00 feet to an iron pin set; thence through lands of the same, South 48 degrees 10 minutes 42 seconds East 200.00 feet to an iron pin set; thence along lands now or late of Fred J. and Edith Y. Hess, South 42 degrees 13 minutes 38 seconds West 401.00 feet to an iron pin set, the place of Beginning. CONTAINING 2.279 acres of land.

Description prepared by Matthew W. Laidacker PLS, Orangeville Surveying Consultants Inc. dated January 19, 2001. Map to be recorded contemporaneously herewith.

UNDER and SUBJECT TO a 50 foot wide right-of-way more fully described by survey prepared by Matthew W. Laidacker, PLS, Orangeville Surveying Consultants Inc. dated January 19, 2001, granted and conveyed to Gloria L. Ruane and Michael P. Ruane by deed dated November 27, 2001, and recorded to instrument number 200112145 and in Columbia County Map Book 8 page 97.

BEING a portion of the same premises conveyed to Karl A. Newhart and Anna D. Newhart, his wife, by deed dated November 26, 1971 and recorded in the Office of the Recorder of Deeds in and for Columbia County in Record Book 254, page 296 et seq. The said Karl A. Newhart died on 3-28-99 and the property vested into Anna D. Newhart by operation of law. The said Anna D. Newhart became deceased on July 3, 2001 and Estate is filed to Columbia County No. 19-01-0169. By her Last Will and Testament the Rest, Residue and Remainder of her estate passed to her son, Gerald Newhart.

BEING the same premises Which Gerald Newhart, Executor of the Estate of Anna Delores Newhart, a/k/a Anne D. Newhart, a/k/a Ann Newhart by deed dated November 29, 2001 in the Columbia County Recorders Office granted unto Gerald Newhart and Geraldine Newhart, husband and wife, the mortgagors herein.

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
Matthew J. Eshelman
2109 Market Street
Camp Hill, PA 17011

Acting Sheriff of Columbia County
Timothy T. Chamberlain
www.sheriffofcolumbiacounty.com

SHERIFF'S SALE

WEDNESDAY APRIL 14, 2004 AT 10:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 18 OF 2004 ED AND CIVIL WRIT NO. 1251 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'S 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:

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Plaintiff's Attorney
Matthew J. Eshelman
2109 Market Street
Camp Hill, PA 17011

Acting Sheriff of Columbia County
Timothy T. Chamberlain
www.sheriffofcolumbiacounty.com

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)

Pa. R. Civ. P., Rules 3180 to 3183

AgCHOICE FARM CREDIT, ACA,
Plaintiff

vs.

GERALD NEWHART and
GERALDINE NEWHART,
Defendants

: IN THE COURT OF COMMON PLEAS OF THE
: 26th JUDICIAL DISTRICT OF PENNSYLVANIA
: (COLUMBIA COUNTY BRANCH)
:
: NO. 2003 CV 1251
: *2004-ED-18*
: CIVIL ACTION – AT LAW
: MORTGAGE FORECLOSURE

WRIT OF EXECUTION

(Mortgage Foreclosure – Rule 3257)

Commonwealth of Pennsylvania)
)
County of Columbia)

To the Sheriff of Columbia County:

Pursuant to Rule 3180, to satisfy the judgment, interest and costs in the above matter, you are directed to levy upon and sell the following described property:

Those two certain tracts of land located in Jackson Township, Columbia County, Pennsylvania, occasionally identified as Parcel Identification Number 19-10-009, more particularly described in the Legal Description attached hereto and incorporated herein by reference.

Amount due	\$118,825.26
Interest from September 23, 2003	\$ 20.1120290 per diem
Costs	to be added

PROTHONOTARY OF COLUMBIA COUNTY

Date: *1/26/2004*

By: *Fanni B. Kline/EAB*

Seal of the Court:

ALL SE TWO CERTAIN tracts of land situate in the Township of Jackson, County of Columbia and Commonwealth of Pennsylvania, bounded and described as follows to-wit:

TRACT NO. 1:

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BEING a portion of the same premises conveyed to Karl A. Newhart and Anna D. Newhart, his wife, by deed dated November 26, 1971, and recorded in the Office of the Recorder of Deeds in and for Columbia County in Record Book 254, page 296 et seq. The said Karl A. Newhart died on 3-28-90 and the property vested into Anna D. Newhart by operation of law. The said Anna D. Newhart became deceased on July 3, 2001 and Estate is filed to Columbia County No. 19-01-0169. By her Last Will and Testament the Rest, Residue and Remainder of her estate passed to her son, Gerald Newhart.

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AgCHOICE FARM CREDIT, ACA,
Plaintiff

vs.

GERALD NEWHART and
GERALDINE NEWHART,
Defendants

: IN THE COURT OF COMMON PLEAS OF THE
: 26th JUDICIAL DISTRICT OF PENNSYLVANIA
: (COLUMBIA COUNTY BRANCH)
:
: NO. 2003 CV 1251
: *2004-ED-18*
: CIVIL ACTION - AT LAW
: MORTGAGE FORECLOSURE

**NOTICE OF SHERIFF'S SALE OF REAL ESTATE
PURSUANT TO
PENNSYLVANIA RULE OF CIVIL PROCEDURE 3129.2**

TO:	Gerald and Geraldine Newhart 132 Mendenhall Road Benton, PA 17814	Thomas Rajchel AgChoice Farm Credit, ACA 610 Evans City Road Butler, PA 16001-8799
	Option One Mortgage Corp. P.O. Box 57076 Irvine, CA 92619-7076	Columbia County Tax Claim Bureau Columbia County Courthouse 35 West Main Street Bloomsburg, PA 17815
	Columbia County Domestic Relations Columbia County Courthouse 35 West Main Street Bloomsburg, PA 17815	H & R Accounts 4950 38 th Avenue Box 672 Moline, IL 61265

TAKE NOTICE:

That the Sheriff's Sale of Real Property (real estate) will be held:

DATE:

TIME:

LOCATION: Columbia County Courthouse
35 West Main Street
Bloomsburg, PA 17815

THE PROPERTY TO BE SOLD is delineated in detail in a legal description mainly consisting of a statement of the measured boundaries of the property, together with a brief mention of the buildings and any other major improvements erected on the land.

(SEE DESCRIPTION ATTACHED)

THE LOCATION of your property to be sold is: two certain tracts of land together with the buildings and improvements erected thereon located in Jackson Township, Columbia County, Pennsylvania, occasionally identified as Parcel Identification Number 19-10-009.

THE JUDGMENT under or pursuant to which your property is being sold is docketed in the within Commonwealth and County to: AgChoice Farm Credit, ACA v. Gerald Newhart and Geraldine Newhart, No. 2003 CV 1251, in the amount of One Hundred Eighteen Thousand Eight Hundred Twenty-Five and 26/100 Dollars (\$118,825.26), plus interest from September 23, 2003, at the rate of \$20.1120290 per day, through the date of payment, costs, attorneys' fees and for foreclosure of the mortgaged premises until the Sheriff Sale.

THE NAMES OF THE OWNERS OR REPUTED OWNERS of these properties are: Gerald Newhart and Geraldine Newhart.

A SCHEDULE OF DISTRIBUTION, being a list of the persons and/or governmental or corporate entities or agencies being entitled to receive part of the proceeds of the sale received and to be disbursed by the Sheriff (for example, to banks that hold mortgages and municipalities that are owed taxes) will be filed by the Sheriff of this County thirty (30) days after the sale and distribution of the proceeds of sale in accordance with this schedule will, in fact, be made unless someone objects by filing exceptions to it within ten (10) days of the date it is filed.

Information about the Schedule of Distribution may be obtained from the Sheriff of the Court of Common Pleas of the within County at the Courthouse address specified herein.

THIS PAPER IS A NOTICE OF THE TIME AND PLACE OF THE SALE OF YOUR PROPERTY.

IT HAS BEEN ISSUED BECAUSE THERE IS A JUDGMENT AGAINST YOU.

IT MAY CAUSE YOUR PROPERTY TO BE HELD, TO BE SOLD OR TAKEN TO PAY THE JUDGMENT.

You may have legal rights to prevent your property from being taken away. 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 PAPER TO YOUR LAWYER AT ONCE. GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET FREE LEGAL ADVICE.

Susquehanna Valley Legal Services
168 East Fifth Street
Bloomsburg, PA 17815
(570) 784-8760

Pennsylvania Lawyer Referral Service
P.O. Box 186
Harrisburg, PA 17108
(717) 692-7375

THE LEGAL RIGHTS YOU MAY HAVE ARE:

1. You may file a petition with the Court of Common Pleas of the within County to open the judgment if you have a meritorious defense against the person or company that has entered judgment against you. You may also file a petition with the same Court if you are aware of a legal defect in the obligation or the procedure used against you.

2. After the Sheriff's Sale, you may file a petition with the Court of Common Pleas of the within County to set aside the sale for a grossly inadequate price or for other proper cause. This petition **MUST BE FILED BEFORE THE SHERIFF'S DEED IS DELIVERED.**

3. A petition or petitions raising the legal issues or rights mentioned in the preceding paragraphs must be presented to the Court of Common Pleas of the within County. The petition must be served on the attorney for the creditor or on the creditor before presentation to the Court and a proposed order or rule must be attached to the petition.

If a specific return date is desired, such date must be obtained from the Court Administrator's Office - Civil Division, of the within County Courthouse, before a presentation to the Court.

A copy of the Writ of Execution is attached hereto.

SAIDIS, SHUFF, FLOWER & LINDSAY

By: 

Matthew J. Eshelman, Esquire
Supreme Court ID #72655
2109 Market Street
Camp Hill, PA 17011
(717) 737-3405
Attorneys for Plaintiff

Date: January 19, 2004

SE TWO CERTAIN tracts of land situate in Township of Jackson, County of Columbia and Commonwealth of Pennsylvania, bounded and described as follows to-wit:

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BEGINNING at a chestnut stump corner of land now or late of Warren Kline, South 58 degrees 19 minutes East, 68 perches to a stone; thence by land now or late of A.B. Mendenhall, South 32 1/4 degrees West, 118 perches to a stone; thence by land now or late of C.O. Hartman and Mrs. C.N. Foust, North 58 1/4 degrees West, 68 perches to a stone in the public road leading from Benton to Waller; thence by land now or late of Rachel Cole and Oscar Lewis, North 32 1/4 degrees East, 118 perches to the place of Beginning. Containing 50 acres, more or less

TRACT NO. 2:

BEGINNING at a maple grub; thence by land now or formerly of Z.A. Butt, South 29 1/4 degrees West 64 perches to a white oak sapling; thence by land late of Ezekiel Cole, North 58 1/4 degrees West 42 1/4 perches to a post; thence by land now or formerly of Samuel Kile, North 29 1/4 degrees East 62.7 perches to a post; thence by land now or formerly of John Roberts, South 60 1/4 degrees East 42 1/4 perches to the place of Beginning. Containing 15 acres and 114 perches of land, more or less

EXCEPTING AND RESERVING THEREFROM All that certain piece or parcel of land located in the Township of Jackson, County of Columbia and Commonwealth of Pennsylvania, granted and conveyed unto Gloria L. Ruane and Michael P. Ruane, husband and wife, bounded and described as follows, to-wit:

BEGINNING at an iron pin set at the southeasterly corner of lands now or late of Anna D. Newhart and the southwesterly corner of lands now or late of Fred J. and Edith Y. Hess; thence along lands now or late of J. Nevin Hartman, North 48 degrees 10 minutes 42 seconds West 480.92 feet to an iron pin set on the western edge of the right-of-way of Township Route No. 720; thence along the western edge of the right-of-way of Township Route 720, North 32 degrees 03 minutes 33 seconds West 104.09 feet to an iron pin set; thence through lands of Anna D. Newhart, North 41 degrees 49 minutes 18 seconds East 50.00 feet to an iron pin set; thence through lands of the same, South 32 degrees 03 minutes 35 seconds East 104.09 feet to an iron pin set; thence through lands of the same, South 48 degrees 10 minutes 42 seconds East 281.27 feet to an iron pin set; thence through lands of the same, North 42 degrees 13 minutes 38 seconds East 351.00 feet to an iron pin set; thence through lands of the same, South 48 degrees 10 minutes 42 seconds East 200.00 feet to an iron pin set; thence along lands now or late of Fred J. and Edith Y. Hess, South 42 degrees 13 minutes 38 seconds West 401.00 feet to an iron pin set, the place of Beginning. CONTAINING 2.279 acres of land.

Description prepared by Matthew W. Laidacker PLS, Orangeville Surveying Consultants Inc. dated January 19, 2001. Map to be recorded contemporaneously herewith

UNDER and SUBJECT TO a 50 foot wide right-of-way more fully described by survey prepared by Matthew W. Laidacker, PLS, Orangeville Surveying Consultants Inc. dated January 19, 2001, granted and conveyed to Gloria L. Ruane and Michael P. Ruane by deed dated November 27, 2001, and recorded to instrument number 20012145 and in Columbia County Map Book 8, page 97.

BEING a portion of the same premises conveyed to Karl A. Newhart and Anna D. Newhart, his wife, by deed dated November 26, 1971, and recorded in the Office of the Recorder of Deeds in and for Columbia County in Record Book 254, page 296 et seq. The said Karl A. Newhart died on 3-28-99 and the property vested into Anna D. Newhart by operation of law. The said Anna D. Newhart became deceased on July 3, 2001 and Estate is filed to Columbia County No. 19-01-0169. By her Last Will and Testament the Rest, Residue and Remainder of her estate passed to her son, Gerald Newhart.

BEING the same premises Which Gerald Newhart, Executor of the Estate of Anna Dolores Newhart, a/k/a Anne D. Newhart, a/k/a Ann Newhart by deed dated November 29, 2001 in the Columbia County Recorders Office granted unto Gerald Newhart and Geraldine Newhart, husband and wife, the mortgagors herein.

AgCHOICE FARM CREDIT, ACA,
Plaintiff

vs.

GERALD NEWHART and
GERALDINE NEWHART,
Defendants

: IN THE COURT OF COMMON PLEAS OF THE
: 26th JUDICIAL DISTRICT OF PENNSYLVANIA
: (COLUMBIA COUNTY BRANCH)
:

: NO. 2003 CV 1251

: *2004-ED-18*
: CIVIL ACTION - AT LAW
: MORTGAGE FORECLOSURE

AFFIDAVIT PURSUANT TO RULE 3129.1

AgChoice Farm Credit, ACA, Plaintiff in the above action, sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property consisting of two certain tracts of land together with the buildings and improvements erected thereon located in Jackson Township, Columbia County, Pennsylvania, occasionally identified as Parcel Identification Number 19-10-009.

1. Name and address of owners or reputed owners:

Gerald Newhart
132 Mendenhall Road
Benton, PA 17814

Geraldine Newhart
132 Mendenhall Road
Benton, PA 17814

2. Name and address of defendants in the judgment:

Gerald Newhart
132 Mendenhall Road
Benton, PA 17814

Geraldine Newhart
132 Mendenhall Road
Benton, PA 17814

3. Name and address of every judgment creditor (other than the Plaintiff herein) whose judgment is a record lien on the real property to be sold:

H & R Accounts, Inc.
4950 38th Avenue
Box 672
Moline, IL 61265

4. Name and address of the last recorded holder (other than the Plaintiff herein) of every mortgage of record: NONE

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

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:

Option One Mortgage Corp.
P.O. Box 57076
Irvine, CA 92619-7076

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:

Columbia County Tax Claim Bureau
Columbia County Courthouse
35 West Main Street
Bloomsburg, PA 17815

Columbia County Domestic Relations
Columbia County Courthouse
35 West Main Street
Bloomsburg, PA 17815

I, Matthew J. Eshelman, Esquire, attorney for the Plaintiff, AgChoice Farm Credit, ACA, verify that the statements made in this affidavit are true and correct to the best of my personal knowledge, information and belief. 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.

Respectfully submitted

SAIDIS, SHUFF, FLOWER & LINDSAY

Date: January 19, 2004

By: 

Matthew J. Eshelman, Esquire
Supreme Court ID #72655
2109 Market Street
Camp Hill, PA 17011
(717) 737-3405
Attorney for Plaintiff

AgCHOICE FARM CREDIT, ACA,
Plaintiff

vs.

GERALD NEWHART and
GERALDINE NEWHART,
Defendants

: IN THE COURT OF COMMON PLEAS OF THE
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Camp Hill, PA 17011
(717) 737-3405
Attorney for Plaintiff

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Plaintiff

vs.

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GERALDINE NEWHART,
Defendants

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Date: January 19, 2004

By: 

Matthew J. Eshelman, Esquire
Supreme Court ID #72655
2109 Market Street
Camp Hill, PA 17011
(717) 737-3405
Attorney for Plaintiff

AgCHOICE FARM CREDIT, ACA,
Plaintiff

vs.

GERALD NEWHART and
GERALDINE NEWHART,
Defendants

: IN THE COURT OF COMMON PLEAS OF THE
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: (COLUMBIA COUNTY BRANCH)

: NO. 2003 CV 1251

: *2004 ED-18*
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Date: January 19, 2004

By: 

Matthew J. Eshelman, Esquire
Supreme Court ID #72655
2109 Market Street
Camp Hill, PA 17011
(717) 737-3405
Attorney for Plaintiff

AgCHOICE FARM CREDIT, ACA,
Plaintiff

vs.

GERALD NEWHART and
GERALDINE NEWHART,
Defendants

: IN THE COURT OF COMMON PLEAS OF THE
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: NO. 2003 CV 1251

: *2004-ED-18*
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SAIDIS, SHUFF, FLOWER & LINDSAY

Date: January 19, 2004

By: 

Matthew J. Eshelman, Esquire
Supreme Court ID #72655
2109 Market Street
Camp Hill, PA 17011
(717) 737-3405
Attorney for Plaintiff

AgCHOICE FARM CREDIT, ACA,
Plaintiff

vs.

GERALD NEWHART and
GERALDINE NEWHART,
Defendants

: IN THE COURT OF COMMON PLEAS OF THE
: 26th JUDICIAL DISTRICT OF PENNSYLVANIA
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: NO. 2003 CV 1251
: *2004-ED-18*
: CIVIL ACTION - AT LAW
: MORTGAGE FORECLOSURE

WAIVER OF WATCHMAN

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

Respectfully submitted,

SAIDIS, SHUFF, FLOWER & LINDSAY

Date: January 19, 2004

By: 

Matthew J. Eshelman, Esquire ID #72655
2109 Market Street, Camp Hill, PA 17011
(717) 737-3405 (fax) 737-3407
Attorney for Plaintiff

AgCHOICE FARM CREDIT, ACA,
Plaintiff

vs.

GERALD NEWHART and
GERALDINE NEWHART,
Defendants

: IN THE COURT OF COMMON PLEAS OF THE
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: (COLUMBIA COUNTY BRANCH)

: NO. 2003 CV 1251

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Respectfully submitted,

SAIDIS, SHUFF, FLOWER & LINDSAY

Date: January 19, 2004

By: 

Matthew J. Eshelman, Esquire ID #72655
2109 Market Street, Camp Hill, PA 17011
(717) 737-3405 (fax) 737-3407
Attorney for Plaintiff

AgCHOICE FARM CREDIT, ACA,
Plaintiff

vs.

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: IN THE COURT OF COMMON PLEAS OF THE
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Respectfully submitted,

SAIDIS, SHUFF, FLOWER & LINDSAY

Date: January 19, 2004

By: 

Matthew J. Eshelman, Esquire ID #72655
2109 Market Street, Camp Hill, PA 17011
(717) 737-3405 (fax) 737-3407
Attorney for Plaintiff

AgCHOICE FARM CREDIT, ACA,
Plaintiff

vs.

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: IN THE COURT OF COMMON PLEAS OF THE
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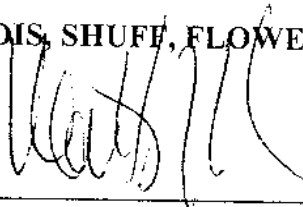
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SAIDIS, SHUFF, FLOWER & LINDSAY



Date: January 19, 2004

By: _____

Matthew J. Eshelman, Esquire ID #72655
2109 Market Street, Camp Hill, PA 17011
(717) 737-3405 (fax) 737-3407
Attorney for Plaintiff

AgCHOICE FARM CREDIT, ACA,
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SAIDIS, SHUFF, FLOWER & LINDSAY

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2109 Market Street, Camp Hill, PA 17011
(717) 737-3405 (fax) 737-3407
Attorney for Plaintiff

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Attorney for Plaintiff

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TRACT NO. 1:

BEGINNING at a chestnut stump corner of land now or late of Warren Kline, South 58 degrees 19 minutes East, 68 perches to a stone; thence by land now or late of A.B. Mendenhall, South 32 1/4 degrees West, 118 perches to a stone; thence by land now or late of C.O. Hartman and Mrs. C.N. Foust, North 53 1/4 degrees West, 63 perches to a stone in the public road leading from Benton to Waller; thence by land now or late of Rachel Cole and Oscar Lewis, North 32 1/4 degrees East, 113 perches to the place of Beginning. Containing 50 acres, more or less

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Description prepared by Matthew W. Laidacker PLS, Orangeville Surveying Consultants Inc dated January 19, 2001. Map to be recorded contemporaneously herewith.

UNDER and SUBJECT TO a 50 foot wide right-of-way more fully described by survey prepared by Matthew W. Laidacker, PLS, Orangeville Surveying Consultants Inc dated January 19, 2001, granted and conveyed to Gloria L. Ruane and Michael P. Ruane by deed dated November 27, 2001, and recorded to instrument number 200112145 and in Columbia County Map Book 3, page 97.

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BEGINNING at a maple grub; thence by land now or formerly of Z.A. Butt, South 29 1/4 degrees West 64 perches to a white oak sapling; thence by land late of Ezekiel Cole, North 58 1/4 degrees West 42 1/4 perches to a post; thence by land now or formerly of Samuel Kile, North 29 1/4 degrees East 62.7 perches to a post; thence by land now or formerly of John Roberts, South 60 1/4 degrees East 42 1/4 perches to the place of Beginning. Containing 15 acres and 114 perches of land, more or less

EXCEPTING AND RESERVING THEREFROM All that certain piece or parcel of land located in the Township of Jackson, County of Columbia and Commonwealth of Pennsylvania, granted and conveyed unto Gloria L. Ruane and Michael P. Ruane, husband and wife, bounded and described as follows, to-wit:

BEGINNING at an iron pin set at the southeasterly corner of lands now or late of Anna D. Newhart and the southwesterly corner of lands now or late of Fred J. and Edith Y. Hess; thence along lands now or late of J. Nevlin Hartman, North 48 degrees 10 minutes 43 seconds West 480.92 feet to an iron pin set on the western edge of the right-of-way of Township Route No. 720; thence along the western edge of the right-of-way of Township Route 720, North 32 degrees 03 minutes 33 seconds West 104.09 feet to an iron pin set; thence through lands of Anna D. Newhart, North 41 degrees 49 minutes 18 seconds East 50.00 feet to an iron pin set; thence through lands of the same, South 32 degrees 03 minutes 55 seconds East 104.09 feet to an iron pin set; thence through lands of the same, South 48 degrees 10 minutes 42 seconds East 281.27 feet to an iron pin set; thence through lands of the same, North 42 degrees 13 minutes 38 seconds East 351.00 feet to an iron pin set; thence through lands of the same, South 48 degrees 10 minutes 42 seconds East 200.00 feet to an iron pin set; thence along lands now or late of Fred J. and Edith Y. Hess, South 42 degrees 13 minutes 38 seconds West 401.00 feet to an iron pin set, the place of Beginning. CONTAINING 2.279 acres of land.

Description prepared by Matthew W. Laidacker PLS, Orangeville Surveying Consultants Inc. dated January 19, 2001. Map to be recorded contemporaneously herewith.

UNDER and SUBJECT TO a 50 foot wide right-of-way more fully described by survey prepared by Matthew W. Laidacker, PLS, Orangeville Surveying Consultants Inc. dated January 19, 2001, granted and conveyed to Gloria L. Ruane and Michael P. Ruane by deed dated November 27, 2001, and recorded to instrument number 200112145 and in Columbia County Map Book 8 page 97.

BEING a portion of the same premises conveyed to Karl A. Newhart and Anna D. Newhart, his wife, by deed dated November 26, 1971, and recorded in the Office of the Recorder of Deeds in and for Columbia County in Record Book 254, page 296 et seq. The said Karl A. Newhart died on 3-28-99 and the property vested into Anna D. Newhart by operation of law. The said Anna D. Newhart became deceased on July 3, 2001 and Estate is filed to Columbia County No. 19-01-0169. By her Last Will and Testament the Rest, Residue and Remainder of her estate passed to her son, Gerald Newhart.

BEING the same premises which Gerald Newhart, Executor of the Estate of Anna Dolores Newhart, a/k/a Anne D. Newhart, a/k/a Ann Newhart by deed dated November 29, 2001 in the Columbia County Recorders Office granted unto Gerald Newhart and Geraldine Newhart, husband and wife, the mortgagors herein.

ALL SE TWO CERTAIN tracts of land situate in the Township of Jackson, County of Columbia and Commonwealth of Pennsylvania, bounded and described as follows to

TRACT NO. 1:

BEGINNING at a chestnut stump corner of land now or late of Warren Kline, South 58 degrees 19 minutes East, 68 perches to a stone; thence by land now or late of A.B. Mendenhall, South 32 1/4 degrees West, 118 perches to a stone; thence by land now or late of C.O. Hartman and Mrs. C.M. Foust, North 58 1/4 degrees West, 68 perches to a stone in the public road leading from Benton to Waller; thence by land now or late of Rachel Cole and Oscar Lewis, North 32 1/4 degrees East, 118 perches to the place of Beginning. Containing 50 acres, more or less

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LAW OFFICES
SAIDIS, SHUFF, FLOWER & LINDSAY

A PROFESSIONAL CORPORATION
2109 MARKET STREET

CAMP HILL, PENNSYLVANIA 17011

TELEPHONE: (717) 737-3405 - FACSIMILE: (717) 737-3407

EMAIL: attorney@ssfl-law.com

www.ssfl-law.com

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JAMES D. FLOWER, JR.
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JACLYN SMITH

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26 W. HIGH STREET

CARLISLE, PA 17013

TELEPHONE: (717) 243-6222

FACSIMILE: (717) 243-6486

REPLY TO CAMP HILL

January 19, 2004

Columbia County Sheriff's Office
Columbia County Courthouse
35 West Main Street
P.O. Box 380
Bloomsburg, PA 17815

**RE: AgChoice Farm Credit, ACA v. Gerald Newhart and Geraldine Newhart –
No. 2003 CV 1251**

Dear Sheriff:

Please serve all necessary documents upon the Defendants at the following address:

Gerald Newhart and Geraldine Newhart
132 Mendenhall Road
Benton, PA 17814

In addition to service of the documents, please post the property located in Jackson Township, Columbia County, Pennsylvania, identified as Parcel Identification Number 19-10-009.

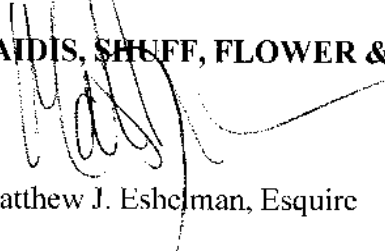
It is our understanding that once you have scheduled a date for this sheriff's sale, you will list the date and time of the sale on the enclosed Notice of Sheriff's Sale of Real Estate and return the Notice to our office in the enclosed self-addressed, stamped envelope.

[†] Board Certified by the American Board of Certification in Creditors' Rights Representation

I have enclosed a check in the amount of \$1,350.00 to cover the service fees. If you have any questions or problems, please call. Thank you for your assistance in this matter.

Very truly yours,

SAIDIS, SHUFF, FLOWER & LINDSAY

A handwritten signature in black ink, appearing to read 'Matthew J. Eshelman', is written over the firm name and extends to the right.

Matthew J. Eshelman, Esquire

MJE/jas

Enclosures

cc: Thomas Rajchel (w/o encs.)

50100



SAIDIS, SHUFF, FLOWER & LINDSAY
ATTORNEYS AT LAW
26 WEST HIGH STREET
CARLISLE, PENNSYLVANIA 17013
GENERAL ACCOUNT

01/21/2004

60-7238/2313

1350.00

\$

Columbia County Sheriff

PAY TO THE
ORDER OF

One thousand three hundred fifty and NO/100***** DOLLARS

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Columbia County Sheriff
Columbia County Courthouse, 35 West Main Street, P.O. Box 380
Bloomsburg, PA 17815

AUTHORIZED SIGNATURE

MEMO

1105010011 12313723871170800110311