

62443

COLUMBIA COUNTY SHERIFF'S OFFICE

SHERIFF'S REAL ESTATE FINAL COST SHEET

M&T Trust Co. vs Ronald + Carol Swank

NO. 30-04 ED NO. 1079-03 JD

DATE/TIME OF SALE: 6-23-04 0900

BID PRICE (INCLUDES COST) \$ 2158,64

POUNDAGE - 2% OF BID \$ 43,17

TRANSFER TAX - 2% OF FAIR MKT \$ -

MISC. COSTS \$ -

TOTAL AMOUNT NEEDED TO PURCHASE \$ 2201,81

PURCHASER(S): _____

ADDRESS: _____

NAMES(S) ON DEED: _____

PURCHASER(S) SIGNATURE(S): _____

TOTAL DUE: \$ 2201,81

LESS DEPOSIT: \$ 1350,00

DOWN PAYMENT: \$ _____

TOTAL DUE IN 8 DAYS \$ 851,81

SHERIFF'S SALE COST SHEET

M&T Trust Co. VS. Ronald & Carol Swank
 NO. 30-04 ED NO. 1079-03 JD DATE/TIME OF SALE 6-23-04 0900

DOCKET/RETURN	\$15.00	
SERVICE PER DEF.	\$ <u>120.00</u>	
LEVY (PER PARCEL	\$15.00	
MAILING COSTS	\$ <u>22.50</u>	
ADVERTISING SALE BILLS & COPIES	\$17.50	
ADVERTISING SALE (NEWSPAPER)	\$15.00	
MILEAGE	\$ <u>8.00</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>4.00</u>	
NOTARY	\$ <u>12.00</u>	
TOTAL *****		\$ <u>339.00</u>

WEB POSTING	\$150.00	
PRESS ENTERPRISE INC.	\$ <u>1446.14</u>	
SOLICITOR'S SERVICES	\$75.00	
TOTAL *****		\$ <u>1671.14</u>

PROTHONOTARY (NOTARY)	\$10.00	
RECORDER OF DEEDS	\$ <u>43.50</u>	
TOTAL *****		\$ <u>53.50</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>90.00</u>	
MISC. _____	\$ _____	
_____	\$ _____	
TOTAL *****		\$ <u>- 0 -</u>

TOTAL COSTS (OPENING BID) \$ 2158.64

306-2443

COLUMBIA COUNTY SHERIFF'S OFFICE
SHERIFF'S REAL ESTATE FINAL COST SHEETM&T Trust Co. vs Ronald + Carol SwankNO. 30-04 ED NO. 1079-03 JDDATE/TIME OF SALE: 6-23-04 0900BID PRICE (INCLUDES COST) \$ 2158.64POUNDAGE - 2% OF BID \$ 43.17TRANSFER TAX - 2% OF FAIR MKT \$ -MISC. COSTS \$ -TOTAL AMOUNT NEEDED TO PURCHASE \$ 2201.81

PURCHASER(S): _____

ADDRESS: _____

NAMES(S) ON DEED: _____

PURCHASER(S) SIGNATURE(S): _____
_____TOTAL DUE: \$ 2201.81LESS DEPOSIT: \$ 1350.00

DOWN PAYMENT: \$ _____

TOTAL DUE IN 8 DAYS \$ 851.81

Fax

To: William Carlucci, Esq.

From: Timothy T. Chamberlain, Sheriff

Fax:

Date: September 5, 2004

Phone:

Pages: 1

Re: Swank Foreclosure

CC:

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

•Comments: I received ck#224568162 for costs due in the amount of \$851.81, however I have not received deed instructions. This is the second notice, I phoned your office July 13, 2004.

Manufacturer's and Trader's Trust Company

*c/o Penny Shatter
10 Reitz Blvd.*

Mr Lemickus RA

W/Chas.

10/6/04

M&T Bank

Manufacturers and Traders Trust Company

GENERAL ACCOUNTING

P.O. Box 767, Buffalo, NY 14240

COLUMBIA COUNTY SHERRIF'S OFFICE

VENDOR NO.		CODE		CHECK NO.	
A 0000278705		02-ATT		224568162	
VENDOR NAME				DATE	PAGE
COLUMBIA COUNTY SHERRIF'S OFFICE				07/08/04	1
DATE	INVOICE NO.	VOUCHER	GROSS	DISCOUNT	NET
06/23/04	6/04-1079-03	DT60739803	851.81	.00	851.81
* TOTAL *			851.81	.00	851.81

L039N (5/04)

499156243815 499157 NEW 04:04 813507084

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

OFFICIAL CHECK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

M&T Bank

Manufacturers and Traders Trust Company

GENERAL ACCOUNTING

P.O. Box 767, Buffalo, NY 14240

23-97/1020

NO. 224568162

DATE 07/08/04

Drawer: M&T Bank
Issued by Integrated Payment Systems Inc., Englewood, Colorado
Bank One, NA, Denver, Colorado

PAY SUM OF *****851 DOLLARS AND 81 CENTS

\$*****851.81

TWO SIGNATURES REQUIRED FOR AMOUNTS OVER \$50,000.00

PAY
TO
THE
ORDER
OF

COLUMBIA COUNTY SHERRIF'S OFFICE

Patricia G. Schunk



⑈342533⑈ ⑆102000979⑆ 25002245681629⑈

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

COLUMBIA COUNTY SHERIFF'S OFFICE

Fax

To: William Carlucci, Esq.

From: Timothy T. Chamberlain, Sheriff

Fax:

Date: June 25, 2004

Phone:

Pages: 3

Re: Swank Foreclosure

CC:

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

•Comments: My solicitor advised I could remove the costs we talked about. I have attached a new cost sheet showing a balance owed of \$851.81.

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.

MANUFACTURERS AND & TRADERS
TRUST CO.

VS.

RONALD AND CAROL SWANK

WRIT OF EXECUTION #30 OF 2004 ED

POSTING OF PROPERTY

MAY 20, 2004 POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE
PROPERTY OF RONALD AND CAROL SWANK AT MONTOUR BLVD BLOOMSBURG
COLUMBIA COUNTY PENNSYLVANIA. SAID POSTING PERFORMED BY
COLUMBIA COUNTY SHERIFF TIMOTHY T. CHAMBERLAIN.

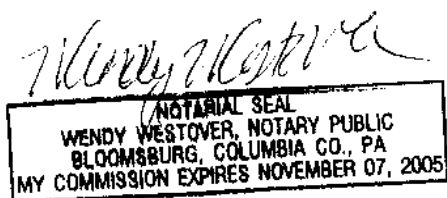
SO ANSWERS:

DEPUTY SHERIFF

TIMOTHY T. CHAMBERLAIN
SHERIFF

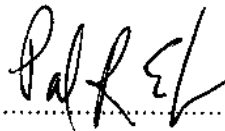
SWORN TO AND SUBSCRIBED BEFORE ME

THIS 25TH DAY OF MAY 2004



STATE OF PENNSYLVANIA
COUNTY OF COLUMBIA } SS

Paul R. Eyerly IV, President, being duly sworn according to law deposes and says that Press Enterprise is a newspaper of general circulation with its principal office and place of business at 3185 Lackawanna Avenue, Bloomsburg, County of Columbia and State of Pennsylvania, and was established on the 1st day of March, 1902, and has been published daily, continuously in said Town, County and State since the day of June 2, 9, 16, 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.



Sworn and subscribed to before me this 17th day of June, 2004.



Commonwealth of Pennsylvania
Notarial Seal
My commission expires
Scott Twp., Columbia County
My Commission Expires July 3, 2007
Member, Pennsylvania Association Of Notaries

And now,....., 20....., I hereby certify that the advertising and publication charges amounting to \$.....for publishing the foregoing notice, and the fee for this affidavit have been paid in full.

.....

COLUMBIA COUNTY SHERIFF'S OFFICE

PROCESS SERVICE ORDER

OFFICER:
DATE RECEIVED 2/17/2004

SERVICE# 8 - OF - 9 SERVICES
DOCKET # 30ED2004

PLAINTIFF MANUFACTURERS & TRADERS TRUST COMPANY

DEFENDANT RONALD SWANK AND CAROL SWANK

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

SERVED UPON Richard Miller

RELATIONSHIP _____ IDENTIFICATION _____

DATE 4-13-04 TIME 0810 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 4-13-04

COLUMBIA COUNTY SHERIFF'S OFFICE

PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN
DATE RECEIVED 2/17/2004

SERVICE# 3 - OF - 9 SERVICES
DOCKET # 30ED2004

PLAINTIFF MANUFACTURERS & TRADERS TRUST COMPANY

DEFENDANT RONALD SWANK AND CAROL SWANK

PERSON/CORP TO SERVED	PAPERS TO SERVED
DAVID PENNYPACKER	WRIT OF EXECUTION - MORTGAGE
515 LEGION RD APT. 4	FORECLOSURE
BLOOMSBURG	

SERVED UPON DAVE

RELATIONSHIP Tax Collector IDENTIFICATION _____

DATE 4-13-04 TIME 1615 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
<u>4-13-04</u>	<u>1435</u>	<u>ATRE</u>	<u>Carol</u>

DEPUTY

J. Gail

DATE 4-13-04

COLUMBIA COUNTY SHERIFF'S OFFICE

PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN
DATE RECEIVED 2/17/2004

SERVICE# 4 - OF - 9 SERVICES
DOCKET # 30ED2004

PLAINTIFF MANUFACTURERS & TRADERS TRUST COMPANY
DEFENDANT RONALD SWANK AND CAROL SWANK

PERSON/CORP TO SERVED	PAPERS TO SERVED
MONTOUR SEWER	WRIT OF EXECUTION - MORTGAGE
RUPERT DRIVE	FORECLOSURE
BLOOMSBURG	

SERVED UPON ELENE SPONENBERG

RELATIONSHIP Twp Sect. IDENTIFICATION _____

DATE 4-14-4 TIME 10:25 MILEAGE _____ OTHER _____

Race ____ Sex ____ Height ____ Weight ____ Eyes ____ Hair ____ Age ____ Military ____

TYPE OF SERVICE: A. PERSONAL SERVICE AT POA ____ POB X 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

4-13-4 14:30 ARTIER _____

DEPUTY

J. C. [Signature]

DATE 4-14-4

COLUMBIA COUNTY SHERIFF'S OFFICE

PROCESS SERVICE ORDER

OFFICER:
DATE RECEIVED 2/17/2004

SERVICE# 5 - OF - 9 SERVICES
DOCKET # 30ED2004

PLAINTIFF MANUFACTURERS & TRADERS TRUST COMPANY
DEFENDANT RONALD SWANK AND CAROL SWANK

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

SERVED UPON Lorey Cunnell

RELATIONSHIP Intake Clerk IDENTIFICATION _____

DATE 4-13-4 TIME 1410 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. Carter DATE 4-13-4

SHERIFF'S SALE COST SHEET

Mat Teust Co. VS. Donald & Carol Swank
 NO. 30-09 ED NO. 1079-03 JD DATE/TIME OF SALE 6-23-04 0900

DOCKET/RETURN	\$15.00
SERVICE PER DEF.	\$ <u>120.00</u>
LEVY (PER PARCEL	\$15.00
MAILING COSTS	\$ <u>22.50</u>
ADVERTISING SALE BILLS & COPIES	\$17.50
ADVERTISING SALE (NEWSPAPER)	\$15.00
MILEAGE	\$ <u>8.00</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>4.00</u>
NOTARY	\$ <u>12.00</u>
TOTAL ***** \$ <u>339.00</u>	

WEB POSTING	\$150.00
PRESS ENTERPRISE INC.	\$ <u>1446.14</u>
SOLICITOR'S SERVICES	\$75.00
TOTAL ***** \$ <u>1671.14</u>	

PROTHONOTARY (NOTARY)	\$10.00
RECORDER OF DEEDS	\$ <u>43.50</u>
TOTAL ***** \$ <u>53.50</u>	

REAL ESTATE TAXES:	
BORO, TWP & COUNTY 20	\$ <u>1056.92</u>
SCHOOL DIST. 20	\$
DELINQUENT 20 <u>03</u>	\$ <u>7141.36</u>
TOTAL ***** \$ <u>10198.28</u>	

MUNICIPAL FEES DUE:	
SEWER 20	\$ <u>1544.20</u>
WATER 20	\$
TOTAL ***** \$ <u>1544.20</u>	

SURCHARGE FEE (DSTE)	\$ <u>90.00</u>
MISC. _____	\$ _____
_____	\$ _____
TOTAL ***** \$ <u>-0-</u>	

TOTAL COSTS (OPENING BID) \$ 15896.12

COLUMBIA COUNTY SHERIFF'S OFFICE
SHERIFF'S REAL ESTATE FINAL COST SHEET

M&T Trust Co. VS Ronald & Carol Swank

NO. 30-04 ED NO. 1079-03 JD

DATE/TIME OF SALE: 6-23-04 0900

BID PRICE (INCLUDES COST) \$ 13896.12

POUNDAGE - 2% OF BID \$ 277.92

TRANSFER TAX - 2% OF FAIR MKT \$ —

MISC. COSTS \$ —

TOTAL AMOUNT NEEDED TO PURCHASE \$ 14174.04

PURCHASER(S): _____

ADDRESS: _____

NAMES(S) ON DEED: _____

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

TOTAL DUE: \$ 14174.04

LESS DEPOSIT: \$ 1350.00

DOWN PAYMENT: \$ _____

TOTAL DUE IN 8 DAYS \$ 12824.04

MANUFACTURERS & TRADERS
TRUST COMPANY,
Plaintiff

v.

RONALD O. SWANK AND CAROL
E. SWANK,
Defendants

IN THE COURT OF COMMON PLEAS OF
COLUMBIA COUNTY, PENNSYLVANIA

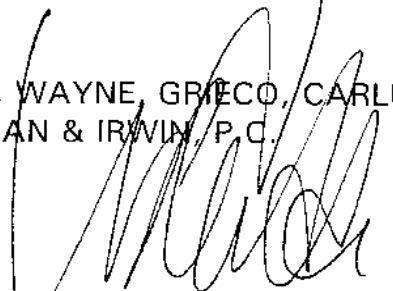
NO. 2003-CV-1079

RETURN OF SERVICE

The undersigned, counsel for the Plaintiff in the above-referenced matter certifies and says that he served the attached written Notice of Sale upon the parties listed in the attached Certificate of Mailing on April 15, 2004. The undersigned acknowledges that any false statements made herein would be made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.

ELION, WAYNE, GRIECO, CARLUCCI,
SHIPMAN & IRWIN, P.C.

By:


William P. Carlucci, Esquire
I.D. No. 30477
125 East Third Street
Williamsport, PA 17701
(570) 326-2443

2004-11-17

MANUFACTURERS & TRADERS
TRUST COMPANY,

Plaintiff

v.

RONALD O. SWANK AND CAROL
E. SWANK,

Defendants

IN THE COURT OF COMMON PLEAS OF
COLUMBIA COUNTY, PENNSYLVANIA

NO. 2003-CV-1079

CERTIFICATE OF MAILING

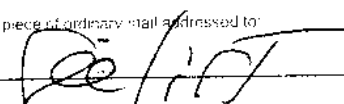
Ronald O. Swank
114 Gotshall Road
Danville, PA 17821

Carol E. Swank
114 Gotshall Road
Danville, PA 17821

M & T Bank
c/o Denny H. Shaffer
Vice-President
10 Reitz Blvd.
Lewisburg, PA 17738

The Union National Bank of Mount Carmel
One Oak Street
Mount Carmel, PA 17851



U.S. POSTAL SERVICE	CERTIFICATE OF MAILING
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE, POSTMASTER	
Received From:	
Elion, Wayne, Grieco, Carlucci, Shipman & Irwin, P.C.	
125 E. Third St. Williamsport, PA 17701	
One piece of ordinary mail addressed to:	
	

F:\Documents\wpc\M&T Bank - S

MANUFACTURERS & TRADERS
TRUST COMPANY,

Plaintiff

v.

RONALD O. SWANK AND CAROL
E. SWANK,

Defendants

IN THE COURT OF COMMON PLEAS OF
COLUMBIA COUNTY, PENNSYLVANIA

NO. 2003-CV-1079

NOTICE PURSUANT TO Pa.R.C.P. 3129.2

TO: The Defendants listed in the matter captioned above, and to all owners or reputed owners or lienholders in connection with the real property described in Exhibit A attached hereto:

YOU ARE HEREBY NOTIFIED that by virtue of a Writ of Execution issued out of the Court of Common Pleas of Columbia County upon a judgment entered in the matter captioned above, and directed to the Sheriff of Columbia County, the Sheriff of Columbia County will expose to public sale at Columbia County Courthouse, 35 West Main Street, Bloomsburg, Pennsylvania, on June 23, 2004 at 9:00 a.m. the real estate and improvements erected thereon, described in Exhibit "A", attached hereto and made a part of this Notice.

You are further notified that a schedule of proposed distribution of the proceeds of the above sale will be filed by the Sheriff of Columbia County, Pennsylvania, on a date specified by the Sheriff not later than thirty days after sale, and that distribution of said proceeds will be made in accordance with said Schedule of Distribution unless exceptions are filed thereto within ten days after the filing of the schedule.

**ELION, WAYNE, GRIECO, CARLUCCI,
SHIPMAN & IRWIN, P.C.**

By: 

William P. Carlucci, Esquire

I/D. #30477

Attorneys for Plaintiff

125 East Third Street

Williamsport, PA 17701

Telephone: (570) 326-2443

EXHIBIT A

PARCEL NO. 1:

ALL THAT CERTAIN piece, parcel and tract of land located in Montour Township, Columbia County, Pennsylvania, more specifically described as follows:

BEGINNING at an iron pin along the Southern right-of-way of S. R. 11, said iron pin being in line of land now or formerly of Spencer; thence along the southern right-of-way of S.R. 11 North 89 degrees 03 minutes 56 second East 602.70 Feet to an existing iron pin in line of land now or formerly of Geisinger System Services; thence along land of Geisinger Systems Services South 8 degrees 30 minutes 51 seconds East 57.07 feet to an iron pin in line of Tract No. 2; thence along Tract No. 2 South 87 degrees 32 minutes 50 seconds West 232.20 Feet to an iron pin; thence along same South 81 degrees 48 minutes 45 seconds West 133.05 Feet to an iron pin; thence along same South 7 degrees 57 minutes 00 second East 46.02 Feet to an iron pin; thence along same South 82 degrees 11 minutes 22 seconds West 85.00 Feet to an iron pin; thence along same North 32 degrees 53 minutes 30 seconds West 47.74 Feet to an iron pin; thence along same North 7 degrees 57 minutes 00 seconds West 41.88 Feet to an iron pin; thence along the same South 89 degrees 16 minutes 38 seconds West 136.97 Feet to an iron pin; thence along same North 0 degrees 56 minutes 04 seconds West 52.80 Feet to an iron pin, the place of BEGINNING. CONTAINING 1.010 acres according to a Draft of Survey prepared by L. Wayne Laidacker, P.L.S., dated November 9, 1988 as subsequently revised with the final revision on February 17, 1989.

SUBJECT to all matter recited in the Subdivision Survey recorded in Map Book 6, Page 254, including but not limited to Easement No. 1 and Easement No. 2 as shown and recited on said Subdivision Map.

ALSO UNDER AND SUBJECT to the Easement recited in Columbia County Record Book 432, Page 427.

BEING THE SAME premises which Ronald O. Swank and Carol E. Swank, husband and wife, by their deed dated July 25, 1989 and recorded July 25, 1989 in the Office for the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 433, Page 99, granted and conveyed unto Ronald O. Swank and Carol E. Swank, husband and wife, Mortgagors herein.

PARCEL NO. 2:

ALL THOSE TWO CERTAIN pieces, parcels and tracts of land situate in Montour Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

TRACT NO. 1:

BEGINNING at a stake corner set in the westerly line of a private 16 foot roadway now or formerly being the property of Yodock Brothers and 300 feet southwardly, more or less, from a southerly line of right-of-way of U.S. Route 11 and running thence in a southerly direction along the westerly line of said private roadway, land now or formerly of Yodock Brothers, 45 feet, more or less, to a corner, set in the northerly line of right-of-way now or formerly of D. L. & W. Railroad Company; running thence in a northwesterly direction along the northerly line of said railroad right-of-way 100 feet, more or less to a corner set in the easterly line of other land now or formerly of Lawrence E. Kile and wife; running thence in a northerly direction along the easterly line of other land now or formerly of Lawrence E. Kile and wife; running thence in a northerly direction along the easterly line of other land now or formerly of said Kile, 3 feet, more or less, to a stake corner set at a point 300 feet southwardly from the southerly line of the aforesaid right-of-way of U.S. Route 11; running thence in an easterly direction on a line approximately perpendicular to the first course herein and along other land now or formerly of Lawrence E. Kile and wife 100 feet, more or less, to a take corner set in the westerly line of the aforesaid private roadway, land now or formerly of Yodock Brothers, the place of BEGINNING.

Under and subject to all easements of record.

TRACT NO. 2:

BEGINNING at a stake corner set in the westerly line of a private 16 foot roadway now or formerly the property of Yodock Brothers and 300 feet southwardly, more or less, from the southerly line of the right-of-way of U.S. Route 11 and running thence in a northerly direction along the westerly line of said private roadway, land of said Yodock Brothers, 15 feet, more or less, to a stake, thence in a westerly direction in a line parallel to lands now or formerly owned by William A. and Sandra D. Barnes 100 feet, more or less, to a corner marked by a stake and set in the easterly line of other land now or formerly of Lawrence E. Kile and wife; thence in a southerly direction along the said lands 15 feet, more or less, to a stake at the corner of land now or formerly of William A. and Sandra D. Barnes; thence in an easterly direction along said lands 100 feet, more or less, to a stake along the westerly edge of the said private roadway, the place of BEGINNING.

BEING THE SAME premises which Edgar R. Spencer and Frances V. Spencer, his wife, by their deed dated May 10, 1994 and recorded May 11, 1994 in the Office for the Records of Deeds in and for Columbia County, Pennsylvania in Record

Book 568 at Page 0197, granted and conveyed unto Ronald O. Swank and Carol E. Swank, husband and wife.

Being the same premises described in a Mortgage dated September 24, 1996 from Ronald O. Swank to Carol E. Swank to Northern Central Bank, which Mortgage is recorded at Mortgage Book 637 beginning at Page 659.

IMPROVEMENTS: Tax Parcel No. 25-2-29 is listed commercial. Improvements on this parcel include a remodeled store, warehouse, offices, carports, and other additions. Tax Parcel No. 25-2-29-8 is listed commercial vacant land.

MANUFACTURERS & TRADERS
TRUST COMPANY,
Plaintiff

v.

RONALD O. SWANK AND CAROL
E. SWANK,
Defendants

IN THE COURT OF COMMON PLEAS OF
COLUMBIA COUNTY, PENNSYLVANIA

NO. 2003-CV-1079

AFFIDAVIT PURSUANT TO RULE 3129.1

WILLIAM P. CARLUCCI, ESQUIRE, of Elion, Wayne, Grieco, Carlucci, Shipman & Irwin, P.C., attorneys for 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 located in Montour Township, Columbia County, Pennsylvania, as more fully described on Exhibit "A" attached hereto:

1. Name and address of Owners or Reputed Owners:

Ronald O. Swank
114 Gotshall Road
Danville, PA 17821

Carol E. Swank
114 Gotshall Road
Danville, PA 17821

2. Name and address of Defendants in the judgment:

Ronald O. Swank
114 Gotshall Road
Danville, PA 17821

Carol E. Swank
114 Gotshall Road
Danville, PA 17821

2003-10-17 10:07 AM

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

M & T Bank
c/o Denny H. Shaffer
Vice-President
10 Reitz Blvd.
Lewisburg, PA 17738

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

M & T Bank
c/o Denny H. Shaffer
Vice-President
10 Reitz Blvd.
Lewisburg, PA 17738

The Union National Bank of Mount Carmel
One Oak Street
Mount Carmel, PA 17851

5. Name and address of every other person who has any record interest in or record lien on the property and whose interest may be affected by the sale:

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.

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

**ELION, WAYNE, GRIECO, CARLUCCI,
SHIPMAN & IRWIN, P.C.**

By: 

William P. Carlucci

I.D. #30477

Attorney for Plaintiff

125 East Third Street

Williamsport, PA 17701

(570) 326-2443

EXHIBIT A

PARCEL NO. 1:

ALL THAT CERTAIN piece, parcel and tract of land located in Montour Township, Columbia County, Pennsylvania, more specifically described as follows:

BEGINNING at an iron pin along the Southern right-of-way of S. R. 11, said iron pin being in line of land now or formerly of Spencer; thence along the southern right-of-way of S.R. 11 North 89 degrees 03 minutes 56 second East 602.70 Feet to an existing iron pin in line of land now or formerly of Geisinger System Services; thence along land of Geisinger Systems Services South 8 degrees 30 minutes 51 seconds East 57.07 feet to an iron pin in line of Tract No. 2; thence along Tract No. 2 South 87 degrees 32 minutes 50 seconds West 232.20 Feet to an iron pin; thence along same South 81 degrees 48 minutes 45 seconds West 133.05 Feet to an iron pin; thence along same South 7 degrees 57 minutes 00 second East 46.02 Feet to an iron pin; thence along same South 82 degrees 11 minutes 22 seconds West 85.00 Feet to an iron pin; thence along same North 32 degrees 53 minutes 30 seconds West 47.74 Feet to an iron pin; thence along same North 7 degrees 57 minutes 00 seconds West 41.88 Feet to an iron pin; thence along the same South 89 degrees 16 minutes 38 seconds West 136.97 Feet to an iron pin; thence along same North 0 degrees 56 minutes 04 seconds West 52.80 Feet to an iron pin, the place of BEGINNING. CONTAINING 1.010 acres according to a Draft of Survey prepared by L. Wayne Laidacker, P.L.S., dated November 9, 1988 as subsequently revised with the final revision on February 17, 1989.

SUBJECT to all matter recited in the Subdivision Survey recorded in Map Book 6, Page 254, including but not limited to Easement No. 1 and Easement No. 2 as shown and recited on said Subdivision Map.

ALSO UNDER AND SUBJECT to the Easement recited in Columbia County Record Book 432, Page 427.

BEING THE SAME premises which Ronald O. Swank and Carol E. Swank, husband and wife, by their deed dated July 25, 1989 and recorded July 25, 1989 in the Office for the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 433, Page 99, granted and conveyed unto Ronald O. Swank and Carol E. Swank, husband and wife, Mortgagors herein.

PARCEL NO. 2:

ALL THOSE TWO CERTAIN pieces, parcels and tracts of land situate in Montour Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

TRACT NO. 1:

BEGINNING at a stake corner set in the westerly line of a private 16 foot roadway now or formerly being the property of Yodock Brothers and 300 feet southwardly, more or less, from a southerly line of right-of-way of U.S. Route 11 and running thence in a southerly direction along the westerly line of said private roadway, land now or formerly of Yodock Brothers, 45 feet, more or less, to a corner, set in the northerly line of right-of-way nor or formerly of D. L. & W. Railroad Company; running thence in a northwesterly direction along the northerly line of said railroad right-of-way 100 feet, more or less to a corner set in the easterly line of other land now or formerly of Lawrence E. Kile and wife; running thence in a northerly direction along the easterly line of other land nor or formerly of Lawrence E. Kile and wife; running thence in a northerly direction along the easterly line of other land now or formerly of said Kile, 3 feet, more or less, to a stake corner set at a point 300 feet southwardly from the southerly line of the aforesaid right-of-way of U.S. Route 11; running thence in an easterly direction on a line approximately perpendicular to the first course herein and along other land now or formerly of Lawrence E. Kile and wife 100 feet, more or less, to a take corner set in the westerly line of the aforesaid private roadway, land now or formerly of Yodock Brothers, the place of BEGINNING.

Under and subject to all easements of record.

TRACT NO. 2:

BEGINNING at a stake corner set in the westerly line of a private 16 foot roadway now or formerly the property of Yodock Brothers and 300 feet southwardly, more or less, from the southerly line of the right-of-way of U.S. Route 11 and running thence in a northerly direction along the westerly line of said private roadway, land of said Yodock Brothers, 15 feet, more or less, to a stake, thence in a westerly direction in a line parallel to lands now or formerly owned by William A. and Sandra D. Barnes 100 feet, more or less, to a corner marked by a stake and set in the easterly line of other land now or formerly of Lawrence E. Kile and wife; thence in a southerly direction along the said lands 15 feet, more or less, to a stake at the corner of land now or formerly of William A. and Sandra D. Barnes; thence in an easterly direction along said lands 100 feet, more or less, to a stake along the westerly edge of the said private roadway, the place of BEGINNING.

BEING THE SAME premises which Edgar R. Spencer and Frances V. Spencer, his wife, by their deed dated May 10, 1994 and recorded May 11, 1994 in the Office for the Records of Deeds in and for Columbia County, Pennsylvania in Record

Book 568 at Page 0197, granted and conveyed unto Ronald O. Swank and Carol E. Swank, husband and wife.

Being the same premises described in a Mortgage dated September 24, 1996 from Ronald O. Swank to Carol E. Swank to Northern Central Bank, which Mortgage is recorded at Mortgage Book 637 beginning at Page 659.

IMPROVEMENTS: Tax Parcel No. 25-2-29 is listed commercial. Improvements on this parcel include a remodeled store, warehouse, offices, carports, and other additions. Tax Parcel No. 25-2-29-8 is listed commercial vacant land.

82 Buckhorn Road, Bloomsburg, PA 17815 - 570-784-2696
FAX - 570-784-1425

**Garey M.
Bittenbender**

Fax

To: Sheriff Chamberlain

From: Garey Bittenbender

Fax:

Pages: 1

Phone:

Date: 4/15/04

Re:

CC:

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

• **Comments:** RE: Docket # 30ED2004 JD # 1079JD2003

I am the billing agent for the MONTOUR TWP Supervisors Sewer fund.

Please be advised that we have the following outstanding charges against the property of RONALD & CAROL SWANK.

\$1,544.20 this amount is inclusive to the sale date of June 23, 2004.

If you have any questions please contact me.

Garey

Tax Notice 2004 County & Municipality

MONTOUR TWP

MAKE CHECKS PAYABLE TO:

David J Pennypacker
515 LEGION RD, APT 4
BLOOMSBURG PA 17815

HOURS: ALL HOURS AT MONTOUR TWP BLDG.

TUES: 5PM TO 7PM

SATURDAY: 9AM TO 11AM

PHONE: 570-356-7825

FOR: COLUMBIA COUNTY

DATE
03/01/2004BILL NO.
24854

DESCRIPTION	ASSESSMENT	MILLS	LESS DISCOUNT	TAX AMOUNT DUE	INCL PENALTY
GENERAL	25,250	5.646	139.71	142.56	156.82
SINKING		.845	20.91	21.34	23.47
TWP RE		3	74.23	75.75	83.33
The discount & penalty have been calculated for your convenience			PAY THIS AMOUNT	234.85 April 30 If paid on or before	239.65 June 30 If paid on or before
					263.62 June 30 If paid after

TAXES ARE DUE & PAYABLE - PROMPT PAYMENT IS REQUESTED

SWANK RONALD O & CAROL E
114 GOTTSALL ROAD
DANVILLE PA 17821

CNTY TWP
Discount 2 % 2 %
Penalty 10 % 10 %
PARCEL: 25 -02 -029-08,000

1.01 Acres Land 25,250
Buildings 0
Total Assessment 25,250

This tax returned to
courthouse on:
January 1, 2005

FILE COPY

If you desire a receipt, send a self-addressed stamped envelope with your payment

THIS TAX NOTICE MUST BE RETURNED WITH YOUR PAYMENT**Tax Notice** 2004 County & Municipality

MONTOUR TWP

MAKE CHECKS PAYABLE TO:

David J Pennypacker
515 LEGION RD, APT 4
BLOOMSBURG PA 17815

HOURS: ALL HOURS AT MONTOUR TWP BLDG.

TUES: 5PM TO 7PM

SATURDAY: 9AM TO 11AM

PHONE: 570-356-7825

FOR: COLUMBIA COUNTY

DATE
03/01/2004BILL NO.
24853

DESCRIPTION	ASSESSMENT	MILLS	LESS DISCOUNT	TAX AMOUNT DUE	INCL PENALTY
GENERAL	75,985	5.646	420.43	429.01	471.91
SINKING		.845	62.93	64.21	70.63
TWP RE		3	223.40	227.96	250.76
The discount & penalty have been calculated for your convenience			PAY THIS AMOUNT	706.76 April 30 If paid on or before	721.18 June 30 If paid on or before
					793.30 June 30 If paid after

TAXES ARE DUE & PAYABLE - PROMPT PAYMENT IS REQUESTED

SWANK RONALD O & CAROL E
114 GOTTSALL ROAD
DANVILLE PA 17821

CNTY TWP
Discount 2 % 2 %
Penalty 10 % 10 %
PARCEL: 25 -02 -029-00,000

2.01 Acres Land 30,125
Buildings 45,860
Total Assessment 75,985

This tax returned to
courthouse on:
January 1, 2005

FILE COPY

If you desire a receipt, send a self-addressed stamped envelope with your payment

THIS TAX NOTICE MUST BE RETURNED WITH YOUR PAYMENT

REAL ESTATE OUTLINE

ED # 30-04

DATE RECEIVED 2-17-04
DOCKET AND INDEX 2-23-04
SET FILE FOLDER UP 2-23-04

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# 1178949

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

SALE DATE June 23, 2004 TIME 0900
POSTING DATE May 20, 2004
ADV. DATES FOR NEWSPAPER
1ST WEEK June 2
2ND WEEK 9
3RD WEEK 16

2-23-04 Fax watchman form & requested
liens list.

Phone: 570 389 5622
Fax: 570 389 5625

**COLUMBIA COUNTY
SHERIFF'S OFFICE**

Fax

To: Atty. William Carlucci

From: Acting Sheriff Timothy T. Chamberlain

Fax: 326-1585

Date: February 23, 2004

Phone:

Pages: 2

Re: M&T VS. SWANK

CC:

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

•Comments:

In Court of Common Pleas of
Columbia County PA.

No. 30 of 2004 ED
No. 1079 of 2003 JD

MANUFACTURERS AND TRADERS
TRUST COMPANY
Vs.
RONALD O. SWANK AND
CAROL D. SWANK

Civil Action—Law
Mortgage Foreclosure

Waiver of Watchman

I, Attorney William P. Carlucci, 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.

Attorney for Plaintiff

MANUFACTURERS & TRADERS
TRUST COMPANY,

Plaintiff

v.

RONALD O. SWANK AND CAROL
E. SWANK,

Defendants

IN THE COURT OF COMMON PLEAS OF
COLUMBIA COUNTY, PENNSYLVANIA

NO. 2003-CV-1079

2004-ED-30

WRIT OF EXECUTION

P.R.C.P. 3257

Commonwealth of Pennsylvania
County of Columbia

To the Sheriff of Columbia County:

To satisfy the judgment, interest and costs against Ronald O. Swank and Carol E.
Swank, Defendants;

You are directed to levy upon the property of the Defendants, and to sell its
interest therein, a description of which real property is attached hereto as Exhibit "A";

Amount Due \$294,552.31
Plus interest at the contract rate
from February 26, 2003 together
with reasonable attorney fees and
costs of suit.

Feb. 17, 2004

Seal of the Court

Lami B. Kline

Prothonotary, Common Pleas Court of
Columbia County, Pennsylvania

Deputy

EXHIBIT A

PARCEL NO. 1:

ALL THAT CERTAIN piece, parcel and tract of land located in Montour Township, Columbia County, Pennsylvania, more specifically described as follows:

BEGINNING at an iron pin along the Southern right-of-way of S. R. 11, said iron pin being in line of land now or formerly of Spencer; thence along the southern right-of-way of S.R. 11 North 89 degrees 03 minutes 56 second East 602.70 Feet to an existing iron pin in line of land now or formerly of Geisinger System Services; thence along land of Geisinger Systems Services South 8 degrees 30 minutes 51 seconds East 57.07 feet to an iron pin in line of Tract No. 2; thence along Tract No. 2 South 87 degrees 32 minutes 50 seconds West 232.20 Feet to an iron pin; thence along same South 81 degrees 48 minutes 45 seconds West 133.05 Feet to an iron pin; thence along same South 7 degrees 57 minutes 00 second East 46.02 Feet to an iron pin; thence along same South 82 degrees 11 minutes 22 seconds West 85.00 Feet to an iron pin; thence along same North 32 degrees 53 minutes 30 seconds West 47.74 Feet to an iron pin; thence along same North 7 degrees 57 minutes 00 seconds West 41.88 Feet to an iron pin; thence along the same South 89 degrees 16 minutes 38 seconds West 136.97 Feet to an iron pin; thence along same North 0 degrees 56 minutes 04 seconds West 52.80 Feet to an iron pin, the place of BEGINNING. CONTAINING 1.010 acres according to a Draft of Survey prepared by L. Wayne Laidacker, P.L.S., dated November 9, 1988 as subsequently revised with the final revision on February 17, 1989.

SUBJECT to all matter recited in the Subdivision Survey recorded in Map Book 6, Page 254, including but not limited to Easement No. 1 and Easement No. 2 as shown and recited on said Subdivision Map.

ALSO UNDER AND SUBJECT to the Easement recited in Columbia County Record Book 432, Page 427.

BEING THE SAME premises which Ronald O. Swank and Carol E. Swank, husband and wife, by their deed dated July 25, 1989 and recorded July 25, 1989 in the Office for the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 433, Page 99, granted and conveyed unto Ronald O. Swank and Carol E. Swank, husband and wife, Mortgagors herein.

PARCEL NO. 2:

ALL THOSE TWO CERTAIN pieces, parcels and tracts of land situate in Montour Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

TRACT NO. 1:

BEGINNING at a stake corner set in the westerly line of a private 16 foot roadway now or formerly being the property of Yodock Brothers and 300 feet southwardly, more or less, from a southerly line of right-of-way of U.S. Route 11 and running thence in a southerly direction along the westerly line of said private roadway, land now or formerly of Yodock Brothers, 45 feet, more or less, to a corner, set in the northerly line of right-of-way nor or formerly of D. L. & W. Railroad Company; running thence in a northwesterly direction along the northerly line of said railroad right-of-way 100 feet, more or less to a corner set in the easterly line of other land now or formerly of Lawrence E. Kile and wife; running thence in a northerly direction along the easterly line of other land nor or formerly of Lawrence E. Kile and wife; running thence in a northerly direction along the easterly line of other land now or formerly of said Kile, 3 feet, more or less, to a stake corner set at a point 300 feet southwardly from the southerly line of the aforesaid right-of-way of U.S. Route 11; running thence in an easterly direction on a line approximately perpendicular to the first course herein and along other land now or formerly of Lawrence E. Kile and wife 100 feet, more or less, to a take corner set in the westerly line of the aforesaid private roadway, land now or formerly of Yodock Brothers, the place of BEGINNING.

Under and subject to all easements of record.

TRACT NO. 2:

BEGINNING at a stake corner set in the westerly line of a private 16 foot roadway now or formerly the property of Yodock Brothers and 300 feet southwardly, more or less, from the southerly line of the right-of-way of U.S. Route 11 and running thence in a northerly direction along the westerly line of said private roadway, land of said Yodock Brothers, 15 feet, more or less, to a stake, thence in a westerly direction in a line parallel to lands now or formerly owned by William A. and Sandra D. Barnes 100 feet, more or less, to a corner marked by a stake and set in the easterly line of other land now or formerly of Lawrence E. Kile and wife; thence in a southerly direction along the said lands 15 feet, more or less, to a stake at the corner of land now or formerly of William A. and Sandra D. Barnes; thence in an easterly direction along said lands 100 feet, more or less, to a stake along the westerly edge of the said private roadway, the place of BEGINNING.

BEING THE SAME premises which Edgar R. Spencer and Frances V. Spencer, his wife, by their deed dated May 10, 1994 and recorded May 11, 1994 in the Office for the Records of Deeds in and for Columbia County, Pennsylvania in Record

Book 568 at Page 0197, granted and conveyed unto Ronald O. Swank and Carol E. Swank, husband and wife.

Being the same premises described in a Mortgage dated September 24, 1996 from Ronald O. Swank to Carol E. Swank to Northern Central Bank, which Mortgage is recorded at Mortgage Book 637 beginning at Page 659.

IMPROVEMENTS: Tax Parcel No. 25-2-29 is listed commercial. Improvements on this parcel include a remodeled store, warehouse, offices, carports, and other additions. Tax Parcel No. 25-2-29-8 is listed commercial vacant land.

F:\Documents\wpc\M&T Bank - Swank 03-252\EXHIBIT A.doc

EXHIBIT A

PARCEL NO. 1:

ALL THAT CERTAIN piece, parcel and tract of land located in Montour Township, Columbia County, Pennsylvania, more specifically described as follows:

BEGINNING at an iron pin along the Southern right-of-way of S. R. 11, said iron pin being in line of land now or formerly of Spencer; thence along the southern right-of-way of S.R. 11 North 89 degrees 03 minutes 56 second East 602.70 Feet to an existing iron pin in line of land now or formerly of Geisinger System Services; thence along land of Geisinger Systems Services South 8 degrees 30 minutes 51 seconds East 57.07 feet to an iron pin in line of Tract No. 2; thence along Tract No. 2 South 87 degrees 32 minutes 50 seconds West 232.20 Feet to an iron pin; thence along same South 81 degrees 48 minutes 45 seconds West 133.05 Feet to an iron pin; thence along same South 7 degrees 57 minutes 00 second East 46.02 Feet to an iron pin; thence along same South 82 degrees 11 minutes 22 seconds West 85.00 Feet to an iron pin; thence along same North 32 degrees 53 minutes 30 seconds West 47.74 Feet to an iron pin; thence along same North 7 degrees 57 minutes 00 seconds West 41.88 Feet to an iron pin; thence along the same South 89 degrees 16 minutes 38 seconds West 136.97 Feet to an iron pin; thence along same North 0 degrees 56 minutes 04 seconds West 52.80 Feet to an iron pin, the place of BEGINNING. CONTAINING 1.010 acres according to a Draft of Survey prepared by L. Wayne Laidacker, P.L.S., dated November 9, 1988 as subsequently revised with the final revision on February 17, 1989.

SUBJECT to all matter recited in the Subdivision Survey recorded in Map Book 6, Page 254, including but not limited to Easement No. 1 and Easement No. 2 as shown and recited on said Subdivision Map.

ALSO UNDER AND SUBJECT to the Easement recited in Columbia County Record Book 432, Page 427.

BEING THE SAME premises which Ronald O. Swank and Carol E. Swank, husband and wife, by their deed dated July 25, 1989 and recorded July 25, 1989 in the Office for the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 433, Page 99, granted and conveyed unto Ronald O. Swank and Carol E. Swank, husband and wife, Mortgagors herein.

PARCEL NO. 2:

ALL THOSE TWO CERTAIN pieces, parcels and tracts of land situate in Montour Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

TRACT NO. 1:

BEGINNING at a stake corner set in the westerly line of a private 16 foot roadway now or formerly being the property of Yodock Brothers and 300 feet southwardly, more or less, from a southerly line of right-of-way of U.S. Route 11 and running thence in a southerly direction along the westerly line of said private roadway, land now or formerly of Yodock Brothers, 45 feet, more or less, to a corner, set in the northerly line of right-of-way nor or formerly of D. L. & W. Railroad Company; running thence in a northwesterly direction along the northerly line of said railroad right-of-way 100 feet, more or less to a corner set in the easterly line of other land now or formerly of Lawrence E. Kile and wife; running thence in a northerly direction along the easterly line of other land nor or formerly of Lawrence E. Kile and wife; running thence in a northerly direction along the easterly line of other land now or formerly of said Kile, 3 feet, more or less, to a stake corner set at a point 300 feet southwardly from the southerly line of the aforesaid right-of-way of U.S. Route 11; running thence in an easterly direction on a line approximately perpendicular to the first course herein and along other land now or formerly of Lawrence E. Kile and wife 100 feet, more or less, to a take corner set in the westerly line of the aforesaid private roadway, land now or formerly of Yodock Brothers, the place of BEGINNING.

Under and subject to all easements of record.

TRACT NO. 2:

BEGINNING at a stake corner set in the westerly line of a private 16 foot roadway now or formerly the property of Yodock Brothers and 300 feet southwardly, more or less, from the southerly line of the right-of-way of U.S. Route 11 and running thence in a northerly direction along the westerly line of said private roadway, land of said Yodock Brothers, 15 feet, more or less, to a stake, thence in a westerly direction in a line parallel to lands now or formerly owned by William A. and Sandra D. Barnes 100 feet, more or less, to a corner marked by a stake and set in the easterly line of other land now or formerly of Lawrence E. Kile and wife; thence in a southerly direction along the said lands 15 feet, more or less, to a stake at the corner of land now or formerly of William A. and Sandra D. Barnes; thence in an easterly direction along said lands 100 feet, more or less, to a stake along the westerly edge of the said private roadway, the place of BEGINNING.

BEING THE SAME premises which Edgar R. Spencer and Frances V. Spencer, his wife, by their deed dated May 10, 1994 and recorded May 11, 1994 in the Office for the Records of Deeds in and for Columbia County, Pennsylvania in Record

Book 568 at Page 0197, granted and conveyed unto Ronald O. Swank and Carol E. Swank, husband and wife.

Being the same premises described in a Mortgage dated September 24, 1996 from Ronald O. Swank to Carol E. Swank to Northern Central Bank, which Mortgage is recorded at Mortgage Book 637 beginning at Page 659.

IMPROVEMENTS: Tax Parcel No. 25-2-29 is listed commercial. Improvements on this parcel include a remodeled store, warehouse, offices, carports, and other additions. Tax Parcel No. 25-2-29-8 is listed commercial vacant land.

F:\Documents\wpc\M&T Bank - Swank 03-252\EXHIBIT A.doc

MANUFACTURERS & TRADERS
TRUST COMPANY,
Plaintiff

v.

RONALD O. SWANK AND CAROL
E. SWANK,
Defendants

IN THE COURT OF COMMON PLEAS OF
COLUMBIA COUNTY, PENNSYLVANIA

NO. 2003-CV-1079

2004-ED-30

NOTICE PURSUANT TO Pa.R.C.P. 3129.2

TO: The Defendants listed in the matter captioned above, and to all owners or reputed owners or lienholders in connection with the real property described in Exhibit A attached hereto:

YOU ARE HEREBY NOTIFIED that by virtue of a Writ of Execution issued out of the Court of Common Pleas of Columbia County upon a judgment entered in the matter captioned above, and directed to the Sheriff of Columbia County, the Sheriff of Columbia County will expose to public sale at _____, on _____ at a.m. the real estate and improvements erected thereon, described in Exhibit "A", attached hereto and made a part of this Notice.

You are further notified that a schedule of proposed distribution of the proceeds of the above sale will be filed by the Sheriff of Columbia County, Pennsylvania, on a date specified by the Sheriff not later than thirty days after sale, and that distribution of said proceeds will be made in accordance with said Schedule of Distribution unless exceptions are filed thereto within ten days after the filing of the schedule.

**ELION, WAYNE, GRIECO, CARLUCCI,
SHIPMAN & IRWIN, P.C.**

By: 

William P. Carlucci, Esquire

I.D. #30477

Attorneys for Plaintiff

125 East Third Street

Williamsport, PA 17701

Telephone: (570) 326-2443

EXHIBIT A

PARCEL NO. 1:

ALL THAT CERTAIN piece, parcel and tract of land located in Montour Township, Columbia County, Pennsylvania, more specifically described as follows:

BEGINNING at an iron pin along the Southern right-of-way of S. R. 11, said iron pin being in line of land now or formerly of Spencer; thence along the southern right-of-way of S.R. 11 North 89 degrees 03 minutes 56 second East 602.70 Feet to an existing iron pin in line of land now or formerly of Geisinger System Services; thence along land of Geisinger Systems Services South 8 degrees 30 minutes 51 seconds East 57.07 feet to an iron pin in line of Tract No. 2; thence along Tract No. 2 South 87 degrees 32 minutes 50 seconds West 232.20 Feet to an iron pin; thence along same South 81 degrees 48 minutes 45 seconds West 133.05 Feet to an iron pin; thence along same South 7 degrees 57 minutes 00 second East 46.02 Feet to an iron pin; thence along same South 82 degrees 11 minutes 22 seconds West 85.00 Feet to an iron pin; thence along same North 32 degrees 53 minutes 30 seconds West 47.74 Feet to an iron pin; thence along same North 7 degrees 57 minutes 00 seconds West 41.88 Feet to an iron pin; thence along the same South 89 degrees 16 minutes 38 seconds West 136.97 Feet to an iron pin; thence along same North 0 degrees 56 minutes 04 seconds West 52.80 Feet to an iron pin, the place of BEGINNING. CONTAINING 1.010 acres according to a Draft of Survey prepared by L. Wayne Laidacker, P.L.S., dated November 9, 1988 as subsequently revised with the final revision on February 17, 1989.

SUBJECT to all matter recited in the Subdivision Survey recorded in Map Book 6, Page 254, including but not limited to Easement No. 1 and Easement No. 2 as shown and recited on said Subdivision Map.

ALSO UNDER AND SUBJECT to the Easement recited in Columbia County Record Book 432, Page 427.

BEING THE SAME premises which Ronald O. Swank and Carol E. Swank, husband and wife, by their deed dated July 25, 1989 and recorded July 25, 1989 in the Office for the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 433, Page 99, granted and conveyed unto Ronald O. Swank and Carol E. Swank, husband and wife, Mortgagors herein.

PARCEL NO. 2:

ALL THOSE TWO CERTAIN pieces, parcels and tracts of land situate in Montour Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

TRACT NO. 1:

BEGINNING at a stake corner set in the westerly line of a private 16 foot roadway now or formerly being the property of Yodock Brothers and 300 feet southwardly, more or less, from a southerly line of right-of-way of U.S. Route 11 and running thence in a southerly direction along the westerly line of said private roadway, land now or formerly of Yodock Brothers, 45 feet, more or less, to a corner, set in the northerly line of right-of-way nor or formerly of D. L. & W. Railroad Company; running thence in a northwesterly direction along the northerly line of said railroad right-of-way 100 feet, more or less to a corner set in the easterly line of other land now or formerly of Lawrence E. Kile and wife; running thence in a northerly direction along the easterly line of other land nor or formerly of Lawrence E. Kile and wife; running thence in a northerly direction along the easterly line of other land now or formerly of said Kile, 3 feet, more or less, to a stake corner set at a point 300 feet southwardly from the southerly line of the aforesaid right-of-way of U.S. Route 11; running thence in an easterly direction on a line approximately perpendicular to the first course herein and along other land now or formerly of Lawrence E. Kile and wife 100 feet, more or less, to a take corner set in the westerly line of the aforesaid private roadway, land now or formerly of Yodock Brothers, the place of BEGINNING.

Under and subject to all easements of record.

TRACT NO. 2:

BEGINNING at a stake corner set in the westerly line of a private 16 foot roadway now or formerly the property of Yodock Brothers and 300 feet southwardly, more or less, from the southerly line of the right-of-way of U.S. Route 11 and running thence in a northerly direction along the westerly line of said private roadway, land of said Yodock Brothers, 15 feet, more or less, to a stake, thence in a westerly direction in a line parallel to lands now or formerly owned by William A. and Sandra D. Barnes 100 feet, more or less, to a corner marked by a stake and set in the easterly line of other land now or formerly of Lawrence E. Kile and wife; thence in a southerly direction along the said lands 15 feet, more or less, to a stake at the corner of land now or formerly of William A. and Sandra D. Barnes; thence in an easterly direction along said lands 100 feet, more or less, to a stake along the westerly edge of the said private roadway, the place of BEGINNING.

BEING THE SAME premises which Edgar R. Spencer and Frances V. Spencer, his wife, by their deed dated May 10, 1994 and recorded May 11, 1994 in the Office for the Records of Deeds in and for Columbia County, Pennsylvania in Record

Book 568 at Page 0197, granted and conveyed unto Ronald O. Swank and Carol E. Swank, husband and wife.

Being the same premises described in a Mortgage dated September 24, 1996 from Ronald O. Swank to Carol E. Swank to Northern Central Bank, which Mortgage is recorded at Mortgage Book 637 beginning at Page 659.

IMPROVEMENTS: Tax Parcel No. 25-2-29 is listed commercial. Improvements on this parcel include a remodeled store, warehouse, offices, carports, and other additions. Tax Parcel No. 25-2-29-8 is listed commercial vacant land.

MANUFACTURERS & TRADERS
TRUST COMPANY,
Plaintiff

v.

RONALD O. SWANK AND CAROL
E. SWANK,
Defendants

IN THE COURT OF COMMON PLEAS OF
COLUMBIA COUNTY, PENNSYLVANIA

NO. 2003-CV-1079

2004-ED-30

NOTICE PURSUANT TO Pa.R.C.P. 3129.2

TO: The Defendants listed in the matter captioned above, and to all owners or reputed owners or lienholders in connection with the real property described in Exhibit A attached hereto:

YOU ARE HEREBY NOTIFIED that by virtue of a Writ of Execution issued out of the Court of Common Pleas of Columbia County upon a judgment entered in the matter captioned above, and directed to the Sheriff of Columbia County, the Sheriff of Columbia County will expose to public sale at _____, on _____ at a.m. the real estate and improvements erected thereon, described in Exhibit "A", attached hereto and made a part of this Notice.

You are further notified that a schedule of proposed distribution of the proceeds of the above sale will be filed by the Sheriff of Columbia County, Pennsylvania, on a date specified by the Sheriff not later than thirty days after sale, and that distribution of said proceeds will be made in accordance with said Schedule of Distribution unless exceptions are filed thereto within ten days after the filing of the schedule.

**ELION, WAYNE, GRIECO, CARLUCCI,
SHIPMAN & IRWIN, P.C.**

By: 

William P. Carlucci, Esquire

I.D. #30477

Attorneys for Plaintiff

125 East Third Street

Williamsport, PA 17701

Telephone: (570) 326-2443

EXHIBIT A

PARCEL NO. 1:

ALL THAT CERTAIN piece, parcel and tract of land located in Montour Township, Columbia County, Pennsylvania, more specifically described as follows:

BEGINNING at an iron pin along the Southern right-of-way of S. R. 11, said iron pin being in line of land now or formerly of Spencer; thence along the southern right-of-way of S.R. 11 North 89 degrees 03 minutes 56 second East 602.70 Feet to an existing iron pin in line of land now or formerly of Geisinger System Services; thence along land of Geisinger Systems Services South 8 degrees 30 minutes 51 seconds East 57.07 feet to an iron pin in line of Tract No. 2; thence along Tract No. 2 South 87 degrees 32 minutes 50 seconds West 232.20 Feet to an iron pin; thence along same South 81 degrees 48 minutes 45 seconds West 133.05 Feet to an iron pin; thence along same South 7 degrees 57 minutes 00 second East 46.02 Feet to an iron pin; thence along same South 82 degrees 11 minutes 22 seconds West 85.00 Feet to an iron pin; thence along same North 32 degrees 53 minutes 30 seconds West 47.74 Feet to an iron pin; thence along same North 7 degrees 57 minutes 00 seconds West 41.88 Feet to an iron pin; thence along the same South 89 degrees 16 minutes 38 seconds West 136.97 Feet to an iron pin; thence along same North 0 degrees 56 minutes 04 seconds West 52.80 Feet to an iron pin, the place of BEGINNING. CONTAINING 1.010 acres according to a Draft of Survey prepared by L. Wayne Laidacker, P.L.S., dated November 9, 1988 as subsequently revised with the final revision on February 17, 1989.

SUBJECT to all matter recited in the Subdivision Survey recorded in Map Book 6, Page 254, including but not limited to Easement No. 1 and Easement No. 2 as shown and recited on said Subdivision Map.

ALSO UNDER AND SUBJECT to the Easement recited in Columbia County Record Book 432, Page 427.

BEING THE SAME premises which Ronald O. Swank and Carol E. Swank, husband and wife, by their deed dated July 25, 1989 and recorded July 25, 1989 in the Office for the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 433, Page 99, granted and conveyed unto Ronald O. Swank and Carol E. Swank, husband and wife, Mortgagors herein.

PARCEL NO. 2:

ALL THOSE TWO CERTAIN pieces, parcels and tracts of land situate in Montour Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

TRACT NO. 1:

BEGINNING at a stake corner set in the westerly line of a private 16 foot roadway now or formerly being the property of Yodock Brothers and 300 feet southwardly, more or less, from a southerly line of right-of-way of U.S. Route 11 and running thence in a southerly direction along the westerly line of said private roadway, land now or formerly of Yodock Brothers, 45 feet, more or less, to a corner, set in the northerly line of right-of-way nor or formerly of D. L. & W. Railroad Company; running thence in a northwesterly direction along the northerly line of said railroad right-of-way 100 feet, more or less to a corner set in the easterly line of other land now or formerly of Lawrence E. Kile and wife; running thence in a northerly direction along the easterly line of other land nor or formerly of Lawrence E. Kile and wife; running thence in a northerly direction along the easterly line of other land now or formerly of said Kile, 3 feet, more or less, to a stake corner set at a point 300 feet southwardly from the southerly line of the aforesaid right-of-way of U.S. Route 11; running thence in an easterly direction on a line approximately perpendicular to the first course herein and along other land now or formerly of Lawrence E. Kile and wife 100 feet, more or less, to a take corner set in the westerly line of the aforesaid private roadway, land now or formerly of Yodock Brothers, the place of BEGINNING.

Under and subject to all easements of record.

TRACT NO. 2:

BEGINNING at a stake corner set in the westerly line of a private 16 foot roadway now or formerly the property of Yodock Brothers and 300 feet southwardly, more or less, from the southerly line of the right-of-way of U.S. Route 11 and running thence in a northerly direction along the westerly line of said private roadway, land of said Yodock Brothers, 15 feet, more or less, to a stake, thence in a westerly direction in a line parallel to lands now or formerly owned by William A. and Sandra D. Barnes 100 feet, more or less, to a corner marked by a stake and set in the easterly line of other land now or formerly of Lawrence E. Kile and wife; thence in a southerly direction along the said lands 15 feet, more or less, to a stake at the corner of land now or formerly of William A. and Sandra D. Barnes; thence in an easterly direction along said lands 100 feet, more or less, to a stake along the westerly edge of the said private roadway, the place of BEGINNING.

BEING THE SAME premises which Edgar R. Spencer and Frances V. Spencer, his wife, by their deed dated May 10, 1994 and recorded May 11, 1994 in the Office for the Records of Deeds in and for Columbia County, Pennsylvania in Record

Book 568 at Page 0197, granted and conveyed unto Ronald O. Swank and Carol E. Swank, husband and wife.

Being the same premises described in a Mortgage dated September 24, 1996 from Ronald O. Swank to Carol E. Swank to Northern Central Bank, which Mortgage is recorded at Mortgage Book 637 beginning at Page 659.

IMPROVEMENTS: Tax Parcel No. 25-2-29 is listed commercial. Improvements on this parcel include a remodeled store, warehouse, offices, carports, and other additions. Tax Parcel No. 25-2-29-8 is listed commercial vacant land.

F:\Documents\iwpc\IM&T Bank - Swank 03-252\EXHIBIT A.doc

MANUFACTURERS AND TRADERS
TRUST COMPANY
Vs.
RONALD O. SWANK AND
CAROL D. SWANK

In Court of Common Pleas of
Columbia County PA.

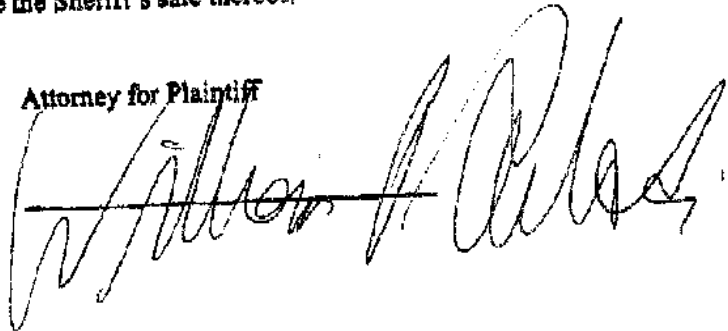
No. 30 of 2004 ED
No. 1079 of 2003 JD

Civil Action—Law
Mortgage Foreclosure

Waiver of Watchman

I, Attorney William P. Carlucci, 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.

Attorney for Plaintiff

A handwritten signature in black ink, appearing to read "William P. Carlucci", is written over a horizontal line.

M&T Bank

Manufacturers and Traders Trust Company

GENERAL ACCOUNTING

P.O. Box 767, Buffalo, NY 14240

CK. AP01178949
NO.

DATE 01/12/04

5530943

PAY SUM OF *****1,350 DOLLARS AND 00 CENTS *****1,350.00

TWO SIGNATURES REQUIRED FOR AMOUNTS OVER \$50,000.00

PAY TO THE ORDER OF COLUMBIA COUNTY SHERIFF'S OFFICE

Patrick J. Schunk

1940002201 1676827701

29E06b