EASTERN SAVINGS BANK, FSB

ν.

Plaintiff

Docket No.: 2003 CV 29

Execution No.:

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA.

Defendant(s)

#### **LEGAL DESCRIPTION**

ALL THOSE THREE CERTAIN pieces, parcels and tracts of land situate in The Borough of Stillwater, County of Columbia, and State of Pennsylvania, bounded and described as follows, to-wit:

#### PARCEL NO. 1:

BEGINNING at an iron pin on the Northerly side of State Highway Route #487 and in line of lands now or formerly of Bennie Naunczek; Thence along lands now or formerly of Naunczek, North 60 degrees 20 minutes East, 152.3 feet to an iron pin on the Southern side of the right-of-way of Reading Railroad; Thence by the same, South 56 degrees 8 minutes East 166 feet to an iron pin in line of lands of Alfred Derrick; Thence by the same, South 50 degrees 20 minutes West, 207 feet to an iron pin on the northern side of the aforementioned State Highway; Thence by the same, North 35 degrees 10 minutes West, 150 feet to the place of beginning. CONTAINING .61 of an acre.

#### PARCEL NO. 2:

BEGINNING at an iron pin on the Eastern right-of-way of Pennsylvania Traffic Route 487 and common corner with lands now or formerly of Gustav A. and Johanna Detterbeck; Thence along said Detterbeck, North 64 degrees 27 minutes 07 seconds East, 197.13 feet to an iron pin; Thence along said Detterbeck, North 64 degrees 27 minutes 07 seconds East, 197.13 feet to an iron pin; Thence along same, North 52 degrees 57 minutes 38 seconds West, 167.51 feet to a point in line of lands now or formerly of Bennie F. Naunczek; Thence along said Naunczek, North 64 degrees 27 minutes 07 seconds East, 67.59 feet to an iron pin corner in line of lands now or formerly of Charles D. Roberts Company; Thence along said Roberts, South 52 degrees 57 minutes 38 seconds East, 188.47 feet to a point; Thence along lands now or formerly of Karns, South 51 degrees 53 minutes 00 seconds West, 168.52 feet to a point marked by a rebar; Thence South 28 degrees 07 minutes East, 27 feet to a rebar set; Thence South 61 degrees 53 minutes 00 seconds West, 97.7 feet to a rebar set in the Eastern right-of-way of Route No. 487; Thence along said right-of-way, North 33 degrees 05 minutes 35 seconds West, 58.1 feet to the place of beginning. CONTAINING 19,415 square feet and being designated as Lot No. 1 on a survey draft prepared by Frank E. Beishline, PLS, which appear of record in Columbia County Map Book 6, Page 215.

#### PARCEL NO. 3:

BEGINNING at a point on the Easterly right-of-way of Pennsylvania State Legislative Route 339 (Traffic Route 487) leading from Orangeville to Benton, said point being the Northwest corner of lands now or formerly of Gustav A. and Johanna K. Detterbeck; Thence along the Easterly right-of-way of said Traffic Route 487, North 37 degrees 05 minutes West 117.14 feet to a point; Thence through other lands now or formerly of Bennie G. and Judith K. Naunczek and crossing a sixty foot wide Reading Railroad right-of-way (abandoned) North 60 degrees 20 minutes East 375.00 feet to a point; Thence through same, South 37 degrees 05 minutes East 117.14 feet to a point on the Northerly line of lands now or formerly of Allen, Jr. and Eleanor R. Buck; Thence along the Northerly line of lands of said Buck and the Northerly line of lands of the aforementioned Detterbeck and crossing the aforementioned abandoned right-of-way, South 60 degrees 20 minutes West 375.00 feet to the place of beginning.

CONTAINING 1.0 acre of land in all.

BEING KNOWN AS R. R. #1, Route 487, Stillwater, PA 17814, IMPROVED with a single family dwelling.

BEING TAX PARCEL NO. 33-01-006

BEING the same premises which Gustav V. Detterbeck and Johanna Detterbeck, a/k/a Johanna K. Detterbeck, his wife, by their Deed dated January 6, 1998 and recorded January 6, 1998, in and for Columbia County, in Deed Book 675, Page 917, granted and conveyed unto Richard L. Karns and Linda M. Karns, his wife.

#### Exhibit "A"

EASTERN SAVINGS BANK, FSB

٧.

Plaintiff

Docket No.: 2003 CV 29

2004 ED - 8

Execution No.:

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA.

Defendant(s)

#### LEGAL DESCRIPTION

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minutes 00 seconds West, 168.52 fect to a point marked by a rebar; Thence South 28 degrees 07 minutes East, 27 feet to a rebar set; Thence South 61 degrees 53 minutes 00 seconds West, 97.7 feet to a rebar set in the Eastern right-of-way of Route No. 487; Thence along said right-of-way, North 33 degrees 05 minutes 35 seconds West, 58.1 feet to the place of beginning. CONTAINING 19,415 square feet and being designated as Lot No. 1 on a survey draft prepared by Frank E. Beishline, PLS, which appear of record in Columbia County Map Book 6, Page 215.

#### PARCEL NO. 3:

BEGINNING at a point on the Easterly right-of-way of Pennsylvania State Legislative Route 339 (Traffic Route 487) leading from Orangeville to Benton, said point being the Northwest corner of lands now or formerly of Gustav A. and Johanna K. Detterbeck; Thence along the Easterly right-of-way of said Traffic Route 487, North 37 degrees 05 minutes West 117.14 feet to a point; Thence through other lands now or formerly of Bennie G. and Judith K. Naunczek and crossing a sixty foot wide Reading Railroad right-of-way (abandoned) North 60 degrees 20 minutes East 375.00 feet to a point; Thence through same, South 37 degrees 05 minutes East 117.14 feet to a point on the Northerly line of lands now or formerly of Allen, Jr. and Eleanor R. Buck; Thence along the Northerly line of lands of said Buck and the Northerly line of lands of the aforementioned Detterbeck and crossing the aforementioned abandoned right-of-way, South 60 degrees 20 minutes West 375.00 feet to the place of beginning.

CONTAINING 1.0 acre of land in all.

BEING KNOWN AS R. R. #1, Route 487, Stillwater, PA 17814, IMPROVED with a single family dwelling.

BEING TAX PARCEL NO. 33-01-006

BEING the same premises which Gustav V. Detterbeck and Johanna Detterbeck, a/k/a Johanna K. Detterbeck, his wife, by their Deed dated January 6, 1998 and recorded January 6, 1998, in and for Columbia County, in Deed Book 675, Page 917, granted and conveyed unto Richard L. Karns and Linda M. Karns, his wife.

#### Exhibit "A"

EASTERN SAVINGS BANK, FSB

v.

Plaintiff

Docket No.: 2003 CV 29

Execution No.

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA.

Defendant(s)

#### AFFIDAVIT OF LAST KNOWN ADDRESS

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF DAUPHIN

Before me, the undersigned authority, a Notary Public in and for said County and Commonwealth, personally appeared Scott A. Dietterick, Esquire, attorney for and authorized representative of Plaintiff who, being duly sworn according to law, deposes and says that the last known address of Defendant(s), Linda M. Karns and Richard L. Karns, is 430 Third Street, Benton, Columbia County, PA 17814, to the best of my

knowledge, information and belief.

Scott A. Dietterick, Esquire

Sworn to and subscribed before me

this  $\left( \frac{1}{U} \right)^{T_{\text{obs}}}$  day of

: 2005

Notary Public

My Commission Expires:

NOTARIAL SEAL

Usa M. Gaffney, Notary Public Derry Tarp. County of Dauphin

My Commission Expires Sep. 4, 2007

EASTERN SAVINGS BANK, FSB

Plaintiff

Docket No.: 2003 CV 29 2004-ED. 8

LINDA M. KARNS, RICHARD L. KARNS and

THE UNITED STATES OF AMERICA,

ν.

Defendant(s)

#### <u>AFFIDAVIT OF NON-MILITARY SERVICE</u>

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF DAUPHIN

Before me, the undersigned authority, a Notary Public in and for said County and Commonwealth, personally appeared Scott A. Dietterick, Esquire, attorney for and authorized representative of Plaintiff who, being duly sworn according to law, deposes and says that the Defendant(s) is(arc) not in the military service of the United States of America to the best of his knowledge, information and belief:

Scott A. Dietterick, Esquire

Sworn to and subscribed before me

My Commission Expires:

NOTARIAL SEAL itea M. Gaffnay, Notary Public Damy Turp, County of Dauphia Commission Expires Sep. 4, 2097

EASTERN SAVINGS BANK, FSB

v.

Plaintiff

Docket No.: <u>2003 CV 29</u> 2004-ED-E

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA,

Defendant(s)

### WAIVER OF WATCHMAN/WAIVER OF INSURANCE

Any Deputy Sheriff levying upon or attaching any property under which writ may leave same without a watchman, in custody of whoever is found in possession, after notifying such person of such levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof; and the Sheriff is hereby released from all liability to protect the property described in the above execution by insurance, which insurance is hereby waived.

> Scott A. Dietterick, Esquire Attorney for Plaintiff

#### **SHERIFF'S INSTRUCTION**

TO:	Sheriff of Columbia County, Pennsylvania
PLAINTIFF:	Eastern Savings Bank, FSB
DEFENDANT(S):	Linda M. Karns, Richard L. Karns and The United States of America
TYPE OF WRIT OR COMPLAINT:	NOTICE OF SALE
SERVE AT:	430 Third Street, Benton, PA 17814
with whom sh	he Defendant, Linda M. Karns, OR an adult member of the family ac resides, OR an adult individual in charge of the residence with a cet copy of the Notice of Sheriff Sale.
Date of Service:	Time:
Served Upon (If someo other than Defendant):	ne
Address (if different than as stated above):	
Columbia County Sheri	ff's Office:  Name:
Date:	Title:
PLEASE RETURN S	ERVICE TO THE FOLLOWING ADDRESS IN THE ENCLOSED STAMPED ENVELOPE TO:
James, Smith, Dietterick	
ATTN: Scott A. Dietter P.O. Box 650	ick, Esquire
Hershey, PA 17033	
•	JAMES, SMITH, DIFFERICK & CONNELLY LLP
DATED: 4-6-65	BY:
	Scott A. Dietterick, Esquire
	Attorneys for Plaintiff
	P.O. box 650
	Hershey, PA 17033
	(717) 533-3280

#### **SHERIFF'S INSTRUCTION**

ТО:		Sheriff of Columbia County, Pennsylvania	
PLAIN	NTIFF:	Eastern Savings Bank, FSB	
DEFE	NDANT(S):	Linda M. Karns, Richard L. Karns and The United States of America	
	OF WRIT OMPLAINT:	NOTICE OF SALE	
SERV	E AT:	430 Third Street, Benton, PA 17814	
Sir:	with whom he	the Defendant, Richard L. Karns, OR an adult member of the fam e resides, OR an adult individual in charge of the residence with a tr opy of the Notice of Sheriff Sale.	
Date o	of Service:	Time;	
	l Upon (If someo han Defendant):	one :	
	ss (if different s stated above):		
Colun	nbia County Sher	riff's Office:  Name:  Title:	
Date:		1 III.C	
		SERVICE TO THE FOLLOWING ADDRESS IN THE ENCLOSED, STAMPED ENVELOPE TO:	ED
ATTN P.O. E	I: Scott A. Diette Box 650	ck & Connelly LLP erick, Esquire	
	ey, PA 17033	JAMES, SMITH, DIETY KICK & OUNTELLY LLP	
DATE	ED: <u>9-4-68</u>	BY: Scott A. Dietterick, Esquire Attorneys for Plaintiff P.O. box 650 Hershey, PA 17033 (717) 533-3280	

EASTERN SAVINGS BANK, FSB

Plaintiff

٧.

Docket No.: 2003 CV 29 2004-ED - 8

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA,

Defendant(s)

# NOTICE OF SHERIFF'S SALE OF REAL PROPERTY PURSUANT TO PENNSYLVANIA RULE OF CIVIL PROCEDURE 3129

The United States of America c/o Joseph J. Terz, Esq., Asst. U. S. Attorney U. S. Attorney's Office Federal Building 3<sup>rd</sup> & Walnut Sts., Suite 1162 Harrisburg, PA 17108

#### TAKE NOTICE:

	That the Shcriff's Sale o	f Real Property (I	Real Estate) wil	l be held at the	e Columbia
County	Court House, Office of t	the Sheriff, 34 Wo	est Main Street,	Bloomsburg,	Pennsylvania
17815 c	on	at	m. pi	evailing local	time.

THE PROPERTY TO BE SOLD is delineated in detail in a legal description 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 LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A").

The LOCATION of your property to be sold is:

Rural Route #1, Route 487, Stillwater, Columbia Co., PA 17878

# The JUDGMENT under or pursuant to which your property is being sold is docketed to:

No.: 2003-CV-29

# THE NAME(S) OF THE OWNER(S) OR REPUTED OWNER(S) OF THIS PROPERTY ARE:

Linda M. Karns and Richard L. Karns

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 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 Columbia County, P.O. Box 380, Bloomsburg Pennsylvania 17815.

# 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. 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 Legal Services 168 E. 5<sup>th</sup> Street Bloomsburg, PA 17815 (717) 784-8760

#### THE LEGAL RIGHTS YOU MAY HAVE ARE:

- 1. You may file a petition with the Court of Common Pleas of Columbia 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 Columbia 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 Columbia 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, Columbia County Courthouse, P.O. Box 380, Bloomsburg, Pennsylvania 17815, before presentation of the petition to the Court.

JAMES, SMITH, DIETTERICK & CONNELLY LLP

By:

Scott A. Dietterick, Esquire

Attorney I.D.#55650

P.O. Box 650

Hershey, PA 17033

(717) 533-3280

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

#### EASTERN SAVINGS BANK, FSB

Plaintiff

Docket No.: 2003 CV 29

V.

Execution No.:

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA.

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BEING TAX PARCEL NO. 33-01-006

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#### Exhibit "A"

55205 NUMBER AMOUNT 1500.00 000626 VOID AFTER 6 MONTHS 09/06/2005 ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPHINTED BORDER DATE MILERSBURG, PA 17061 60-880/313 One thousand five hundred and NO/100 JAMES, SMITH, DIETTERICK & CONNELLY, LLP OPERATING ACCOUNT PO: BOX 650 HERSHEY, PA 17033 PH, 717-533-3280 Columbia County Sheriff PAY TO THE ORDER OF

Œ

"O 55205" "O 3430880?" 9505320"

this document contains heat sensitive ink. Touch or press here - Red Image Oisappears with heat

*;*:

SHERIFF'S SALE COST SHEET 19-03 NO. JD DATE/TIME OF SALE  $f^2\epsilon_i$ DOCKET/RETURN \$15.00 \$ 240,00 SERVICE PER DEF. LEVY (PER PARCEL \$15.00 \$ 47,50 MAILING COSTS ADVERTISING SALE BILLS & COPIES \$17.50 ADVERTISING SALE (NEWSPAPER) \$15.00 \$ 18,00 **MILEAGE** POSTING HANDBILL \$15.00 CRYING/ADJOURN SALE \$10.00 SHERIFF'S DEED \$35.00 TRANSFER TAX FORM \$25.00 DISTRIBUTION FORM \$25.00 \$ 8,20 COPIES **NOTARY WEB POSTING** \$150.00 PRESS ENTERPRISE INC. \$ 144 Dille SOLICITOR'S SERVICES TOTAL \*\* PROTHONOTARY (NOTARY) RECORDER OF DEEDS TOTAL \*\*\*\*\* REAL ESTATE TAXES: BORO, TWP & COUNTY 20 SCHOOL DIST. 20 DELINQUENT TOTAL \*\* MUNICIPAL FEES DUE: **SEWER** WATER SURCHARGE FEE (DSTE) MISC.

TOTAL COSTS (OPENING BID)

\$824440

# COLUMBIA COUNTY SHERIFF'S OFFICE

SHERIFF'S REAL ESTATE FINAL COST SHEET

Eastern Sources Bouic VS	Linda Dains	· xxxxland
NO. Sold ED	NO. /9-63	JD
DATE/TIME OF SALE: Feb. 7	5933	
BID PRICE (INCLUDES COST)	\$ 100,000,00	
POUNDAGE – 2% OF BID	\$ 160,000,00 \$ 2000,00 \$ -0-	
TRANSFER TAX – 2% OF FAIR MKT	\$	
MISC. COSTS	\$ 250,00	
TOTAL AMOUNT NEEDED TO PURCH	ASE	\$ 10494.40
PURCHASER(S):ADDRESS:NAMES(S) ON DEED:		
PURCHASER(S) SIGNATURE(S):	Serial	
	Lightel	
TOTAL DUE:		\$ 102194,40 \$ 1500,60
LESS DEPOSIT:		\$ 1500,60
DOWN PAYMENT	:	\$
TOTAL DUE IN 8 I	DAYS	s 8994.40

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF REVENUE

# **REALTY TRANSFER TAX**

RECORDER'S USE ONLY				
State Tax Paid				
Book Number				
Page Number				
Date Recorded				

BUREAU OF INDIVIDUAL TAXES  DEPT. 280503	STATEMEN	T OF VALUE	Book Number Page Number		
HARRISBURG, PA 17128-0603	See Reverse	for Instructions	Date Recorded		
Complete each section and file in duplicate with Re deed is without consideration, or by gift, or (3) a tax tax based on: (1) family relationship of (2) public util	: exemption is claimed. A St	atement of Value is not root	tired if the transfer is whethe exempt from		
A. CORRESPONDENT -All inquiries	maybe directed to				
Scott A. Dietterick, Esquire	··	Telephone Number (717) 533-3280 State	Zip Code		
P.O. Box 650 Hershey  B. TRANSFER DATA  Grantor(s)VLessor(s)		PA Date of Acceptance of Document Grantee(s)/Lessee(s)	17033		
Columbia County Sheriff		Garnet Investment	t, Inc.		
Street Address P.O. Box 380		Street Address 11350 McCormic	K Road, Suite 200		
	7815	Hunt Valley	State. Zip MD 21031		
C. PROPERTY LOCATION					
Street Address R.R. 1 Box 487		City, Township, Borough Borough of Stillwa	ater		
Columbia	chool District		Tax Parce: Number 33-01-006		
D. VALUATION DATA  1. Actual Cash Consideration					
#0.014.40	Other Consideration + 0.00	1-4.4.411.444	3. Total Consideration = \$8,244,40		
# 1 1 A A C C A A A	. Commercial Level Ratio Factor $X~3.47$		B. Fair Market Value = \$381,939.43		
E. EXEMPTION DATA					
1a. Amount of Exemption Claimed 100%	b. Percentage of Interest Conveyed $100\%$				
2. Check Appropriate Box for Exemption Claimed	d	·····	•		
☐ Will or intestate succession			_		
۱۸ Transfer to Industrial Development A ∐	ame of Decedent) Agency	(Estate F	ile Number)		
☐ Transfer to a trust (Attach complete	- •	t identifying all benefici	iaries.)		
Transfer between principal and ager	nt. (Attach copy agency	/straw trust agreement	)		
☐ Transfers to the Commonwealth, the condemnation. (If condemnation or it.)	e United States, and ins in lieu of condemnation	trumentalities by gift, d , attach copy of resolut	ledication, condemnation or lieu of ion.)		
⊠Transfer from mortgagor to a holder of	of a mortgage in defaul	t. Mortgage Book Numl	ber 2000 Page Number 07358		
☐Corrective or confirmatory deed (Atta☐Statutory corporate consolidation, me			rmed)		
			nption for transfer to a holder of a		
mortgage in default through Judicial	Sale, pursuant to 7	2 P.S. Section 810	2.C.3(16).		
Under penalties of law, I declare that I have eta knowledge and belief, it is true, correct and com-	mined this Statement, inc				
Signature of Correspondent or Responsible Party					
Scott A. Dietterick, Esquire FAILURE TO COMPLETE THIS FORM PROPERTY TO RECORD THE DEED	ORIATTACH APPLICABL	E DOCUMENTATION MA	Y RESULT IN THE REGORDER'S REFUSAL		

mas 33

12

JAMES, SMITH, DIETTERICK & CONNELLY, LLP
IOLIA ACCOUNT
PO: BOX 650
HERSHEY, PA. 17033
PH. 717-533-3280 ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

Eight thousand nine hundred ninety-four and forty/100

MID PENN BANK MILLERSBURG, PA 17061

DATE

6858

NUMBER

6858

02/16/2007

ORDER OF PAY TO THE

Columbia County Sheriff

\$8,994.40

AMOUNT

Mecca

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT



February 15, 2007

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

RE: Eastern Savings Bank, FSB

vs.

Linda M. Karns, Richard Karns and the United States of America

Docket No. 2003 CV 29

Property: R.R. I Route 487, Stilwater, PA 17814 Sheriff Sale Date: February 7, 2007 @ 9:30 a.m.

Dear Sir or Madam:

I am the attorney on the Writ for the above-referenced sale. Please be advised that I am assigning my bid to **Garnet Investment, Inc.**, 11350 McCormick Road, Suite 200, Hunt Valley, Maryland 21031. Please issue the Deed to **Garnet Investment, Inc.**, and in that regard, enclosed, please find two (2) original Realty Transfer Tax Affidavits of Value. Also, enclosed please find a check in the amount of \$8,994.40 representing additional funds due to your office.

Should you have any questions, please feel free to call me. Thank you.

ETTERICK & CONNELLY LLP

Sincerely,

ott A. Dietterick

\$AD:mse Enclosures GARY L. JAMES
MAY J. SMITH, JR.
JOHK J. CONNERY, UP.
SCOTT A. DIETTERICK
JAMES F. SPACE
MATTHEW CHABAL III
SCSAN M. KADEL
JARA J. W. HANDELVAN
DONINA M. MOLTIN
FOWARD P. SEESED
NET W. YAPIN
COUNTRY L. KISHEL
KASPIELY M. MCORMICK

OF COUNSIN GREGORY K. FLOHANDS BORNARD A. RYAN, JR.

Fax: 717,533.2795

\$100,000



P.O. BOX 650 HERSHEY, PA 17033

Chaner Address 134 SIPE AVENUE HUMMELSTOWN, PA 1703

TEL: 717.533.3280

WWW.uspd.com

GARY L. JAMES

MAX J. SMITH JR. JOHN J. CONNELLY, JR. SCOTT A. DIFFTERICK JAMES F. SPADE

MATTHEW CHARAL, III SUSAN M. KADEL JARAD W. HANDELMAN

DONNA M. MULLIN

EDWARD P. SEEBER NEIL W. YAHN

COURTNEY L. KISHEL KIMBERLY A. BONNEH

JEFFREY M. MCCORMICK

February 2, 2007

Via Facsimile Only 570-784-3429

Tom Leipold, Esquire ATTN: Noreen

RE: Eastern Savings Bank, FSB

VS.

Linda M. Karns, Richard Karns and the United States of America Docket No. 2003 CV 29

Property: R.R. 1 Route 487, Stilwater, PA 17814

Sheriff Sale Date: February 7, 2007 @ 9:30 a.m.

#### Dear Noreen:

Thank you for agreeing to arrange attendance at the above-referenced Sheriff Sale on my behalf. Please start the bidding at Sheriff's costs or the minimum required bid for Columbia County, and if there is competitive bidding, please bid in \$10,000.00 increments up to a maximum bid of \$264,000.00. If Eastern is the successful bidder, and the Sheriff needs to know at Sale how to issue the Deed, please instruct the Sheriff to issue the Deed in the name of **Garnet Investment**, Inc., 11350 McCormick Road, Suite 200, Hunt Valley, Maryland 21031. Should a bankruptcy be announced at the sale, please continue the Sheriff Sale for three (3) months and notify our office of the continued sale date. Following sale, please fax the sale results along with your invoice.

Should you have any questions, please do not hesitate to call me.

JAMES STATE DIVITED CONNELLY LLP

Scott A. Dietrerak, Esqu

Sincerely.

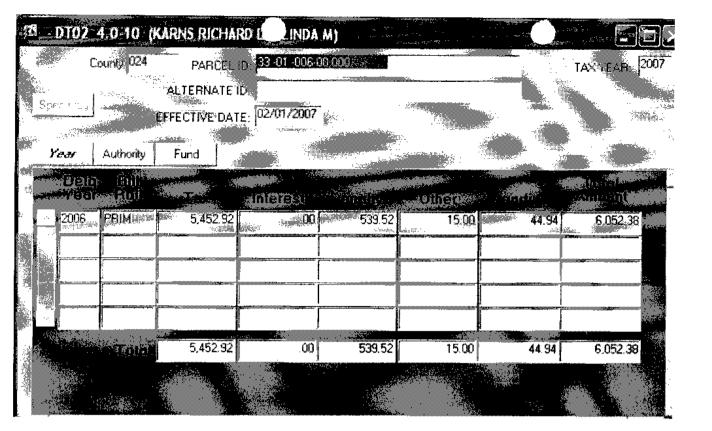
OF COLINSEL! GREGORY K, RICHAROS BERNARO A, RYAN, JR.

# STATE OF PENNSYLVANIA COUNTY OF COLUMBIA

} SS

Paula J. Barry 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 that day and on the attached notice January 17, 24, 31, 2007 as printed and published; that the affiant is one of the officers or publisher or designated agent of the owner or publisher 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	31 St day of 500 2067
My com	(Notary Public)  Commonwealth On February Apple  mission expires Notarial Seal  Dennis L. Ashenfelder, Notary Audito  Scott Two., Columbia County  My Commission Expires July 3, 2007
And now,, 20,	Member Pennsylvania Asia valion Of Notanos, 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.	
.,	



#### TIMOTHY T. CHAMBERLAIN



SHERIFF OF COLUMBIA COUNTY

**COURT HOUSE - P.O. BOX 380 BLOOMSBURG, PA 17815** FAX: (570) 389-5625

24 HOUR PHONE (570) 784-6300

PHONE (570) 389-5622

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

EASTERN SAVINGS BANK, FSB

VS.

LINDA KARNS

WRIT OF EXECUTION #8 OF 2004 ED

#### POSTING OF PROPERTY

January 3, 2007 POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE PROPERTY OF LINDA KARNS AT RR1 ROUTE 487 STILLWATER COLUMBIA COUNTY PENNSYLVANIA. SAID POSTING PERFORMED BY COLUMBIA COUNTY CHIEF DEPUTY SHERIFF JAMES ARTER.

SO\ANSWERS

TIMOTHY T. CHAMBERLAIN SHERIFF

SWORN TO AND SUBSCRIBED BEFORE ME

THIS

DAY OF JANUARY 2007 Mendy Mistine

<u>COMMONWEALTH OF PENNSYLVANIA</u>

Notarial Seal Wendy Westover, Notary Public Bloomsburg, Columbia Co., PA

My Commission Expires November 07, 2009

Fax: 717.533.2795



HERSHEY, PA 17033

Council Address 134 SIRL AVENUE FIDIMMELS LOWN: PA 17036

TULL 717.533 3280

WWW.48DOLCOM

January 2, 2007

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

RE: Eastern Savings Bank, FSB

Linda M. Karns Our File No. 01-3184 Docket No. 2003 CV 19 430 Third Street, Benton, PA 17814

Dear Sir or Madam:

Enclosed for filing please find an original of an Affidavit of Service of Defendants/Owners and Other Parties of Interest regarding the above referenced matter. Please file the original and return a time-stamped copy of the extra face page which is enclosed in the self-addressed stamped envelope.

If you have any questions or concerns, please do not hesitate to contact me.

ETTERICK & CONNELLY LLP

Sheriff of Columbia County cc:

GARY L. JAMES MAX J. SMITH, JR. JOHN J. CONNELLY, JR. Scorr A. Dietterick JAMES F. SPADE MATTHEW CHABAL, III SUSAN M. KADEL JARIAD W. HANDELMAN DONNA M. MULLIN. EDWARD P. SEEBER NEIL W. YAHN COURTNEY L. KISHEL KIMBERLY A. BONNER ЈЕГЕВЕУ М. МССОВМІСК

OF COUNSEL: GREGORY K. RICHARDS BERNAHD A. RYAN, JR.

PA Received by (Printed Name) C. Date of Delive	10. Is delivery address different from Item 1∮ □ Yes If YES, enter delivery address below: □ No		3. Service Type  Certified Mail	4. Restricted Delivery? (Extra Fee)	5 0390 0001 2235 8656	urn Receipt 102595-02-M-16	<ul> <li>SENDER: COMPLETE THIS SECTION</li> <li>Complete items 1, 2, and Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>1. Article Addressed to:</li> <li>Internal Revenue Service PO Box 12051 Philadelphia, PA 19105</li> </ul>	A Signature  X
<ul> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	g	U.S. SMALL BUSINESS ADMINISTRATION PHILADELPHIA DISTRICT OFFICE ROBERT N.C. NIX PEDEAL BUILDING	900 MAKKET STREET-9 TEOOK		2. Article Number (Transfer from service label)	PS Form 3811, February 2004 Domestic Return	2. Arti (Tr.  PS Fc 2  Complete items 1, 2, and 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	COMPLETE THIS SECTION ON DELIVERY  A. Signature  X. Descrived by (Printed Name)  D. Is delivery address different from item 1? Yes  If YES, enter delivery address below:
B. Received by (Pyhted Name) 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	4. Restricted Delivery? (Extra Fee)	. 0390 0001 2235 8601	Receipt	2. Articl (Tran: PS Forr  Complete items 1, 2, and ⊙. 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.	3. Service Type    Certified Mail   Express Mail   Registered   Return Receipt for Merchandiscolor Insured Mail   C.O.D.
Print your name and address on the reverse to that we can return the card to you.  Attach this card to the back of the mailpiece, or on the front if space permits.		he USA c.o Atty. Terz ind & Walnut Streets, Ste. 1162 Parrisburg, PA 17108			rticle Number Fansfer from service (abel)	2004 Dom	1. Article Addressed to:  Dept. of Revenue PO Box 8901 Harrisburg, PA 17105  2. Article Number (Transfer from service label) PS Form 3811, February 2004  Domestic Revenue PO Box 8901 PS Form 3811, February 2004	if YES, enter delivery address below:

Pate of Deliver	7 102595-02-M-15	SENDER: COMPLETE THIS SECTION  Complete items 1, 2, and. Also complete	COMPLETE THIS SECTION ON DELIVERY  A. Signature
n item 19 below:	B F H	<ul> <li>item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	B. Rebelved by Printed Name) OUC Pate of Defice
ad by ( Printed Nate: 1 to the delivery address below: 1 Type   T	01 2235	Article Addressed to:     OFFICE OF F.A.I.R.	□D. is delivery address different from item 1? □ Yes if YES, enter delivery address below: □ No
B. Receive r. vES, r. vES, B. Service B. Service I. Regi I. Insuit		DEPARTMENT OF PUBLIC WELFARE PO BOX 8016 HARRISBURG, PA 17105	3. Service Type  ☐ Certified Mail ☐ Express Mall ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
RIFF	7005 039C	2. Article Number (Transfer from service label)  PS Form 3811, February 2004  Domestic Ref	
■ 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: COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF REVENUE-ATTN: SHERIFF BUREAU OF COMPLIANCE CLEARANCE SUPPORT SECTION DEPARTMENT 281230 HARRISBURG, PA 17128-1230	1 (/)	SENDER: COMPLETE THIS SECTION  Complete items 1, 2, and. 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.  Article Addressed to:  Commonwelath of PA POBox 2675 Harrisburg, PA 17105	A. Signature  X  B. Received by Printed Alams  D. Is delivery address different from item 1? Yes  If YES, enter delivery address below:
		 	3. Service Type
		Article Number 7 0 0 5  (Transfer from service label)	5 Q390 <u>0001</u> 2235 <u>8618</u>
		PS Form 3811, February 2004 Domestic Re	turn Receipt 102595-02-M-154
		SENDER: COMPLETE THIS SECTION  Complete items 1, 2, and. 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.  Article Addressed to:  Dept. of Revenue Dept. 280601 Harrisburg, PA 17128	A. Signature  A. Signature  Addresse  B. Received by Printed Name  D. Is delivery address different from item 1? Yes  If YES, enter delivery address below: No
			3. Service Type  ★ Certified Mail
		2. Article Number (Transfer from service label)  70  PS Form 3811 February 2004  Promotic Re	05 0390 0001 2235 8625

EASTERN SAVINGS BANK, FSB,

CIVIL DIVISION

Plaintiff,

NO.: 2003 CV 29

VS.

ISSUE NO.:

LINDA M. KARNS, RICHARD K. KARNS : and THE UNITED STATE OF AMERICA, : Defendants.

TYPE OF PLEADING:

Pa.R.C.P. RULE 3129.2(C) AFFIDAVIT OF SERVICE OF DEFENDANTS/OWNERS AND OTHER PARTIES OF INTEREST

CODE:

FILED ON BEHALF OF:

Eastern Savings Bank, FSB, Plaintiff

COUNSEL OF RECORD FOR THIS PARTY:

Scott A. Dietterick, Esquire Pa. I.D. #55650

JAMES, SMITH, DIETTERICK & CONNELLY LLP P.O. Box 650 Hershey, PA 17033 (717) 533-3280

EASTERN SAVINGS BANK, FSB

Plaintiff

Docket No.:

2002 CV 829

v.

Execution No.:

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA,

Defendants

# Pa.R.C.P. RULE 3129.2(c) AFFIDAVIT OF SERVICE OF DEFENDANTS/OWNERS AND OTHER PARTIES OF INTEREST

I, Scott A. Dietterick, Esquire, attorney for Eastern Savings Bank, FSB, Plaintiff, being duly sworn according to law depose and make the following Affidavit regarding service of Plaintiff's Notice of Sheriff's Sale of Real Property in this matter on Defendants/Owners and Other Parties of Interest as follows:

- 1. Defendants, Linda M. Karns and Richard L. Karns, are the record owners of the real property.
- 2. On or about October 28, 2006, Defendants, Linda M. Karns and Richard L. Karns were served with Plaintiff's Notice of Sheriff's Sale of Real Property Pursuant to Pa.R.C.P. 3129, via certified mail, return receipt requested, at their last know address being 430 Third Street, Benton, Pennsylvania 17814. True and correct copies of said Notices and Return Receipts are marked Exhibit "A", attached hereto and made a part hereof.
- 3. On or about October 30, 2006, Defendant, The United States of America, was served with Plaintiff's Notice of Sheriff's Sale of Real Property Pursuant to Pa.R.C.P. 3129, via

certified mail, return receipt requested, at their last know address being c/o Joseph J. Terz,
Esquire, Asst. U. S. Attorney, U. S. Attorney's Office Middle District of PA Federal Building, 3<sup>rd</sup>
& Walnut Sts., Suite 1162, Harrisburg, Pennsylvania 17108. A true and correct copy of said
Notice and Return Receipt are marked Exhibit "B", attached hereto and made a part hereof.

4. On or about November 21, 2006, Plaintiff's counsel served all other parties in interest with Plaintiff's Notice of Sheriff's Sale according to Plaintiff's Affidavit Pursuant to Rule 3129.1, via First Class U.S. Mail, Postage Pre-Paid, with a Certificate of Mailing. True and correct copies of said Notices and Certificates of Mailing are marked Exhibit "C", attached hereto and made a part hereof.

Finally, the undersigned deposes and says that Defendants/Owners and all Other Parties of Interest were served with Plaintiff's Notice of Sheriff's Sale of Real Property in accordance

with Pa. R.C.P. 3129.2.

JAMES, SMITH, WETTERICK & CONNELLY LLP

Dated: 1/2/07

Scott A. Dietterick, Esquire

Pa. I.D..#55650

Attorneys for Plaintiff

P.O. Box 650

Hershey, PA 17033

(717) 533-3280

Sworn to and subscribed before me this

Indiday of Jake

2007

Notary Public

MY COMMISSION EXPIRES:

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL

MICHELLE ELLIOTT NOTARY PUBLIC
DERRY TOWNSHIP DAUPHIN COUNTY
MY COMMISSION EXPIRES JUNE 9, 2007

EXHIBIT "A"

EASTERN SAVINGS BANK, FSB

v.

Plaintiff

Docket No.: 2003 CV 29

Execution N

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA.

Defendant(s)

# NOTICE OF SHERIFF'S SALE OF REAL PROPERTY PURSUANT TO PENNSYLVANIA RULE OF CIVIL PROCEDURE 3129

Linda M. Karns 430 Third Street Benton, PA 17814

TAKE NOTICE:

That the Sheriff's Sale of Real Property (Real Estate) will be held at the Columbia County Court House, Office of the Sheriff, 34 West Main Street, Bloomsburg, Pennsylvania 17815 on February 7, 2007 at 9:30 am .m. prevailing local time.

THE PROPERTY TO BE SOLD is delineated in detail in a legal description 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 LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A").

The LOCATION of your property to be sold is:

Rural Route #1, Route 487, Stillwater, Columbia Co., PA 17878

The JUDGMENT under or pursuant to which your property is being sold is docketed to:

No.: 2003-CV-29

# THE NAME(S) OF THE OWNER(S) OR REPUTED OWNER(S) OF THIS PROPERTY ARE:

Linda M. Karns and Richard L. Karns

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 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 Columbia County, P.O. Box 380, Bloomsburg Pennsylvania 17815.

# 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. 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 Legal Services 168 E. 5<sup>th</sup> Street Bloomsburg, PA 17815 (717) 784-8760

#### THE LEGAL RIGHTS YOU MAY HAVE ARE:

- 1. You may file a petition with the Court of Common Pleas of Columbia 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 Columbia 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 Columbia 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, Columbia County Courthouse, P.O. Box 380, Bloomsburg, Pennsylvania 17815, before presentation of the petition to the Court.

JAMES, SMITH DIETTERICK & CONNELLY LATER

By:

Scott A. Dietterick, Esquire

Attorney I.D.#55650

P.O. Box 650

Hershey, PA 17033

(717) 533-3280

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED and VIA PERSONAL SERVICE BY THE COLUMBIA CO. SHERIFF

EASTERN SAVINGS BANK, FSB

Plaintiff

Docket No.: 2003 CV 29

v,

Execution No.:

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA.

Defendant(s)

#### LEGAL DESCRIPTION

ALL THOSE THREE CERTAIN pieces, parcels and tracts of land situate in The Borough of Stillwater, County of Columbia, and State of Pennsylvania, bounded and described as follows, to-wit:

#### PARCEL NO. 1:

BEGINNING at an iron pin on the Northerly side of State Highway Route #487 and in line of lands now or formerly of Bennie Naunczek; Thence along lands now or formerly of Naunczek, North 60 degrees 20 minutes East, 152.3 feet to an iron pin on the Southern side of the right-of-way of Reading Railroad; Thence by the same, South 56 degrees 8 minutes East 166 feet to an iron pin in line of lands of Alfred Derrick; Thence by the same, South 50 degrees 20 minutes West, 207 feet to an iron pin on the northern side of the aforementioned State Highway; Thence by the same, North 35 degrees 10 minutes West, 150 feet to the place of beginning. CONTAINING .61 of an acre.

#### PARCEL NO. 2.

BEGINNING at an iron pin on the Eastern right-of-way of Pennsylvania Traffic Route 487 and common corner with lands now or formerly of Gustav A. and Johanna Detterbeck; Thence along said Detterbeck, North 64 degrees 27 minutes 07 seconds East, 197.13 feet to an iron pin; Thence along said Detterbeck, North 64 degrees 27 minutes 07 seconds East, 197.13 feet to an iron pin; Thence along same, North 52 degrees 57 minutes 38 seconds West, 167.51 feet to a point in line of lands now or formerly of Bennie F. Naunczek; Thence along said Naunczek, North 64 degrees 27 minutes 07 seconds East, 67.59 feet to an iron pin corner in line of lands now or formerly of Charles D. Roberts Company; Thence along said Roberts, South 52 degrees 57 minutes 38 seconds East, 188.47 feet to a point; Thence along lands now or formerly of Karns, South 51 degrees 53

minutes 00 seconds West, 168.52 feet to a point marked by a rebar; Thence South 28 degrees 07 minutes East, 27 feet to a rebar set; Thence South 61 degrees 53 minutes 00 seconds West, 97.7 feet to a rebar set in the Eastern right-of-way of Route No. 487; Thence along said right-of-way, North 33 degrees 05 minutes 35 seconds West, 58.1 feet to the place of beginning. CONTAINING 19,415 square feet and being designated as Lot No. 1 on a survey draft prepared by Frank E. Beishline, PLS, which appear of record in Columbia County Map Book 6, Page 215.

#### PARCEL NO. 3:

BEGINNING at a point on the Easterly right-of-way of Pennsylvania State Legislative Route 339 (Traffic Route 487) leading from Orangeville to Benton, said point being the Northwest corner of lands now or formerly of Gustav A. and Johanna K. Detterbeck; Thence along the Easterly right-of-way of said Traffic Route 487, North 37 degrees 05 minutes West 117.14 feet to a point; Thence through other lands now or formerly of Bennie G. and Judith K. Naunczek and crossing a sixty foot wide Reading Railroad right-of-way (abandoned) North 60 degrees 20 minutes East 375.00 feet to a point; Thence through same, South 37 degrees 05 minutes East 117.14 feet to a point on the Northerly line of lands now or formerly of Allen, Jr. and Eleanor R. Buck; Thence along the Northerly line of lands of said Buck and the Northerly line of lands of the aforementioned Detterbeck and crossing the aforementioned abandoned right-of-way, South 60 degrees 20 minutes West 375.00 feet to the place of beginning.

CONTAINING 1.0 acre of land in all.

BEING KNOWN AS R. R. #1, Route 487, Stillwater, PA 17814, IMPROVED with a single family dwelling.

BEING TAX PARCEL NO. 33-01-006

BEING the same premises which Gustav V. Detterbeck and Johanna Detterbeck, a/k/a Johanna K. Detterbeck, his wife, by their Deed dated January 6, 1998 and recorded January 6, 1998, in and for Columbia County, in Deed Book 675, Page 917, granted and conveyed unto Richard L. Karns and Linda M. Karns, his wife.

#### Exhibit "A"

EASTERN SAVINGS BANK, FSB

Plaintiff

Docket No.: 2003 CV 29

Execution No.:

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA.

Defendant(s)

# NOTICE OF SHERIFF'S SALE OF REAL PROPERTY PURSUANT TO PENNSYLVANIA RULE OF CIVIL PROCEDURE 3129

Richard L. Karns 430 Third Street Benton, PA 17814

TAKE NOTICE:

THE PROPERTY TO BE SOLD is delineated in detail in a legal description 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 LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A").

The LOCATION of your property to be sold is:

Rural Route #1, Route 487, Stillwater, Columbia Co., PA

The JUDGMENT under or pursuant to which your property is being sold is docketed to:

No.: 2003-CV-29

# THE NAME(S) OF THE OWNER(S) OR REPUTED OWNER(S) OF THIS PROPERTY ARE:

#### Linda M. Karns and Richard L. Karns

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 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 Columbia County, P.O. Box 380, Bloomsburg Pennsylvania 17815.

# 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. 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 Legal Services 168 E. 5<sup>th</sup> Street Bloomsburg, PA 17815 (717) 784-8760

### THE LEGAL RIGHTS YOU MAY HAVE ARE:

- 1. You may file a petition with the Court of Common Pleas of Columbia 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 Columbia 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 Columbia 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, Columbia County Courthouse, P.O. Box 380, Bloomsburg, Pennsylvania 17815, before presentation of the petition to the Court.

JAMES, SMITH, DIETTERICK & CONNELLY LLE

Bv

Scott A. Dietterick, Esquire

Attorney I.D.#55650

P.O. Box 650

Hershey, PA 17033

(717) 533-3280

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED and VIA PERSONAL SERVICE BY THE COLUMBIA CO. SHERIFF

#### EASTERN SAVINGS BANK, FSB

Plaintiff

Docket No.: 2003 CV 29

v.

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA,

Defendant(s)

Execution No.:

#### LEGAL DESCRIPTION

ALL THOSE THREE CERTAIN pieces, parcels and tracts of land situate in The Borough of Stillwater, County of Columbia, and State of Pennsylvania, bounded and described as follows, to-wit:

#### PARCEL NO. 1:

BEGINNING at an iron pin on the Northerly side of State Highway Route #487 and in line of lands now or formerly of Bennie Naunczek; Thence along lands now or formerly of Naunczek, North 60 degrees 20 minutes East, 152.3 feet to an iron pin on the Southern side of the right-of-way of Reading Railroad; Thence by the same, South 56 degrees 8 minutes East 166 feet to an iron pin in line of lands of Alfred Derrick; Thence by the same, South 50 degrees 20 minutes West, 207 feet to an iron pin on the northern side of the aforementioned State Highway; Thence by the same, North 35 degrees 10 minutes West, 150 feet to the place of beginning. CONTAINING .61 of an acre.

#### PARCEL NO. 2;

BEGINNING at an iron pin on the Eastern right-of-way of Pennsylvania Traffic Route 487 and common corner with lands now or formerly of Gustav A. and Johanna Detterbeck; Thence along said Detterbeck, North 64 degrees 27 minutes 07 seconds East, 197.13 feet to an iron pin; Thence along said Detterbeck, North 64 degrees 27 minutes 07 seconds East, 197.13 feet to an iron pin; Thence along same, North 52 degrees 57 minutes 38 seconds West, 167.51 feet to a point in line of lands now or formerly of Bennie F. Naunczek; Thence along said Naunczek, North 64 degrees 27 minutes 07 seconds East, 67.59 feet to an iron pin corner in line of lands now or formerly of Charles D. Roberts Company; Thence along said Roberts, South 52 degrees 57 minutes 38 seconds East, 188.47 feet to a point; Thence along lands now or formerly of Karns, South 51 degrees 53

minutes 00 seconds West, 168.52 feet to a point marked by a rebar; Thence South 28 degrees 07 minutes East, 27 feet to a rebar set; Thence South 61 degrees 53 minutes 00 seconds West, 97.7 feet to a rebar set in the Eastern right-of-way of Route No. 487; Thence along said right-of-way, North 33 degrees 05 minutes 35 seconds West, 58.1 feet to the place of beginning. CONTAINING 19,415 square feet and being designated as Lot No. 1 on a survey draft prepared by Frank E. Beishline, PLS, which appear of record in Columbia County Map Book 6, Page 215.

#### PARCEL NO. 3:

BEGINNING at a point on the Easterly right-of-way of Pennsylvania State Legislative Route 339 (Traffic Route 487) leading from Orangeville to Benton, said point being the Northwest corner of lands now or formerly of Gustav A. and Johanna K. Detterbeck; Thence along the Easterly right-of-way of said Traffic Route 487, North 37 degrees 05 minutes West 117.14 feet to a point; Thence through other lands now or formerly of Bennie G. and Judith K. Naunczek and crossing a sixty foot wide Reading Railroad right-of-way (abandoned) North 60 degrees 20 minutes East 375.00 feet to a point; Thence through same, South 37 degrees 05 minutes East 117.14 feet to a point on the Northerly line of lands now or formerly of Allen, Jr. and Eleanor R. Buck; Thence along the Northerly line of lands of said Buck and the Northerly line of lands of the aforementioned Detterbeck and crossing the aforementioned abandoned right-of-way, South 60 degrees 20 minutes West 375.00 feet to the place of beginning.

CONTAINING 1.0 acre of land in all.

BEING KNOWN AS R. R. #1, Route 487, Stillwater, PA 17814, IMPROVED with a single family dwelling.

BEING TAX PARCEL NO. 33-01-006

BEING the same premises which Gustav V. Detterbeck and Johanna Detterbeck, a/k/a Johanna K. Detterbeck, his wife, by their Deed dated January 6, 1998 and recorded January 6, 1998, in and for Columbia County, in Deed Book 675, Page 917, granted and conveyed unto Richard L. Karns and Linda M. Karns, his wife.

#### Exhibit "A"

Return Receipt Fee (Endorsement Required)  Restricted Delivery Fee (Endorsement Required)  Total Postage & Fees  Sant To  Sireer, Apr. No.: or PO Box No. City, State, ZiP+4  Benty	Postage \$ 0.63 Postag
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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.  Article Addressed to:  And Karns  438 Mird St  Benth PAINTY	A. Signature  X
Gentle	3. Service Type
-	☐ Certified Mail ☐ Express Mall ☐ Registered ☐ Return Receipt for Merchandise ☐ C.O.D.
Article Number	4. Restricted Delivery? (Extra Fee) ☐ Yes
(Transfer from service label) 7005 25 3 Form 3811, February 2004 Domestic Ret	70 0001 3656 3938
Domestic Ret	urn Recelpt 102595-02-M-1540
ENDER: COMPLETE THIS SECTION	
Complete items 1, 2, and 3, Alexander	COMPLETE THIS SECTION ON DELIVERY
item 4 if Restricted Delivery is desired. Print your name and address on the reverse	A. Signature
of the very return the cord to you.	B Roceium by CD Addressee
Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by ( Printed Name)  C. Date of Delivery
Article Addressed to: Parkerd C. Keens	D. Is delivery address different from item 1? ☐ Yes  If YES, enter delivery address below: ☐ No
Packerd C. Kerns 430 Third St Benton PA (7814	And M. Lains
Direir	3. Service Type  Certified Mail
Article Number	
Form 3811, February 2004 Domestic Betur	
Domestic Return 2004 Domestic Return	n Receipt 102595-02-M-1540 :

EXHIBIT "B"

EASTERN SAVINGS BANK, FSB

٧.

Plaintiff

Docket No.: 2003 CV 29

Execution No.:

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA.

Defendant(s)

# NOTICE OF SHERIFF'S SALE OF REAL PROPERTY PURSUANT TO PENNSYLVANIA RULE OF CIVIL PROCEDURE 3129

The United States of America c/o Joseph J. Terz, Esq., Asst. U. S. Attorney U. S. Attorney's Office Federal Building 3<sup>rd</sup> & Walnut Sts., Suite 1162 Harrisburg, PA 17108

TAKE NOTICE:

THE PROPERTY TO BE SOLD is delineated in detail in a legal description 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 LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A").

The LOCATION of your property to be sold is:

Rural Route #1, Route 487, Stillwater, Columbia Co., PA 17878

The JUDGMENT under or pursuant to which your property is being sold is docketed to:

No.: 2003-CV-29

# THE NAME(S) OF THE OWNER(S) OR REPUTED OWNER(S) OF THIS PROPERTY ARE:

Linda M. Karns and Richard L. Karns

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 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 Columbia County, P.O. Box 380, Bloomsburg Pennsylvania 17815.

# 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. 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 Legal Services 168 E. 5<sup>th</sup> Street Bloomsburg, PA 17815 (717) 784-8760

### THE LEGAL RIGHTS YOU MAY HAVE ARE:

- 1. You may file a petition with the Court of Common Pleas of Columbia 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.
- After the Sheriff's Sale, you may file a petition with the Court of Common Pleas of Columbia 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.
- 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 Columbia 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, Columbia County Courthouse, P.O. Box 380, Bloomsburg, Pennsylvania 17815, before presentation of the petition to the Court.

JAMES, SMITH, DIETTERICK & CONNELLY LIFE

By:\_

Scott A. Dietterick, Esquire

Attorney I.D.#55650

P.O. Box 650

Hershey, PA 17033

(717) 533-3280

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

#### EASTERN SAVINGS BANK, FSB

Plaintiff

Docket No.: 2003 CV 29

 $\mathbf{v}_{\boldsymbol{\cdot}}$ 

Execution No.:

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA,

Defendant(s)

#### **LEGAL DESCRIPTION**

ALL THOSE THREE CERTAIN pieces, parcels and tracts of land situate in The Borough of Stillwater, County of Columbia, and State of Pennsylvania, bounded and described as follows, to-wit:

#### PARCEL NO. 1:

BEGINNING at an iron pin on the Northerly side of State Highway Route #487 and in line of lands now or formerly of Bennie Naunczek; Thence along lands now or formerly of Naunczek, North 60 degrees 20 minutes East, 152.3 feet to an iron pin on the Southern side of the right-of-way of Reading Railroad; Thence by the same, South 56 degrees 8 minutes East 166 feet to an iron pin in line of lands of Alfred Derrick; Thence by the same, South 50 degrees 20 minutes West, 207 feet to an iron pin on the northern side of the aforementioned State Highway; Thence by the same, North 35 degrees 10 minutes West, 150 feet to the place of beginning. CONTAINING .61 of an acre.

#### PARCEL NO. 2:

BEGINNING at an iron pin on the Eastern right-of-way of Pennsylvania Traffic Route 487 and common corner with lands now or formerly of Gustav A. and Johanna Detterbeck; Thence along said Detterbeck, North 64 degrees 27 minutes 07 seconds East, 197.13 feet to an iron pin; Thence along said Detterbeck, North 64 degrees 27 minutes 07 seconds East, 197.13 feet to an iron pin; Thence along same, North 52 degrees 57 minutes 38 seconds West, 167.51 feet to a point in line of lands now or formerly of Bennie F. Naunczek; Thence along said Naunczek, North 64 degrees 27 minutes 07 seconds East, 67.59 feet to an iron pin corner in line of lands now or formerly of Charles D. Roberts Company; Thence along said Roberts, South 52 degrees 57 minutes 38 seconds East, 188.47 feet to a point; Thence along lands now or formerly of Karns, South 51 degrees 53

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BEGINNING at a point on the Easterly right-of-way of Pennsylvania State Legislative Route 339 (Traffic Route 487) leading from Orangeville to Benton, said point being the Northwest corner of lands now or formerly of Gustav A. and Johanna K. Detterbeck; Thence along the Easterly right-of-way of said Traffic Route 487, North 37 degrees 05 minutes West 117.14 feet to a point; Thence through other lands now or formerly of Bennie G. and Judith K. Naunczek and crossing a sixty foot wide Reading Railroad right-of-way (abandoned) North 60 degrees 20 minutes East 375.00 feet to a point; Thence through same, South 37 degrees 05 minutes East 117.14 feet to a point on the Northerly line of lands now or formerly of Allen, Jr. and Eleanor R. Buck; Thence along the Northerly line of lands of said Buck and the Northerly line of lands of the aforementioned Detterbeck and crossing the aforementioned abandoned right-of-way, South 60 degrees 20 minutes West 375.00 feet to the place of beginning.

CONTAINING 1.0 acre of land in all.

BEING KNOWN AS R. R. #1, Route 487, Stillwater, PA 17814, IMPROVED with a single family dwelling,

BEING TAX PARCEL NO. 33-01-006

BEING the same premises which Gustav V. Detterbeck and Johanna Detterbeck, a/k/a Johanna K. Detterbeck, his wife, by their Deed dated January 6, 1998 and recorded January 6, 1998, in and for Columbia County, in Deed Book 675, Page 917, granted and conveyed unto Richard L. Karns and Linda M. Karns, his wife.

#### Exhibit "A"

CERTIFIED MAIL. RECEIPT

Commission that Only; No Instrance Coverage Provided

For delivery information visit duit website at www.usps.com 2.6 Postage | \$ 0.63 Febricated Delivery Fee Sent to CH T000 959E

- See regulate for instructions.	COMPLETE THIS SECTION ON DELIVERY	se X Signature State of Printed Name) C. Date of Delivery Co. Date of Delivery	D. Is deliptéry address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	3. Service Type  ### Certified Mail	人がルン 4. Restricted Delivery? (Extra Fee) 口 Yes
T. 18 T.	SENDER: COMPLETE THIS SECTION	<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailplece, or on the front if space permits.</li> </ul>	1. Article Addressed to: A. Con to State of Strate of Strate To State of Strate of Strate To State of Strate To State of Strate To State of Strate To Strate Strate	Feelwar 11 2 PA 7108	Article Number 700 E 200

102595-02-M-1540

Domestic Return Receipt

S Form 3811, February 2004 (Transfer from service label)

EXHIBIT "C"

EASTERN SAVINGS BANK, FSB

Plaintiff

Docket No.:

2003 CV 29

V.

Execution No.:

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA,

Defendants

# NOTICE TO LIENHOLDERS AND OTHER PARTIES IN INTEREST PURSUANT TO Pa.R.C.P. 3129(b)

TO: Columbia County Tax Claim Bureau
Columbia County Courthouse
P.O. Box 380
Bloomsburg, PA 17815

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

### COLUMBIA COUNTY COURTHOUSE

Office of the Sheriff 34 West Main Street Bloomsburg, Pennsylvania 17815

on February 7, 2007 at 9:30 a.m., the following described real estate which Linda M. Karns and Richard L. Karns are the owners or reputed owners and on which you may hold a lien or have an interest which could be affected by the sale of:

R.R. 1, Route 487 Stillwater, Pennsylvania 17878 Columbia County

(SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A").

The said Writ of Execution has been issued on a judgment in the action of

EASTERN SAVINGS BANK, FSB,

Plaintiff,

VS.

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA,

Defendants.

at EX. NO. 2003 CV 29 in the amount of \$188,945.39, plus interest and costs.

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

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

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

Exceptions to Distributions or a Petition to Set Aside the Sale must be filed with the Office of the Sheriff no later than ten (10) days from the date when Schedule of Distribution is filed in the Office of the Sheriff.

If you have any questions or comments with regard to the Sheriff's Sale or this Notice, you should contact your attorney as soon as possible.

JAMES, SMITH, DIETTERICK &

CONNELL

Dated: 1/12 1/64

Scott A. Dietterick, Esquire

PA ID #55650

Attorney for Plaintiff

P.O. Box 650

Hershey, PA 17033

(717) 533-3280

EASTERN SAVINGS BANK, FSB

Plaintiff

Docket No.: <u>2003</u> CV 29

ν.

Execution No.:

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA,

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#### Exhibit "A"

EASTERN SAVINGS BANK, FSB

Plaintiff

Docket No.:

2003 CV 29

V.

Execution No.:

LINDA M. KARNS, RICHARD L. KARNS and THE UNITED STATES OF AMERICA,

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JAMES, SMITH, DIETTERICK &

CONNELLY LLP

Dated: 11/21/64

Scott A. Dietterick, Esquire

PA ID #55650

Attorney for Plaintiff

P.O. Box 650

Hershey, PA 17033

(717) 533-3280

#### EASTERN SAVINGS BANK, FSB

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Docket No.: \_2003 CV 29

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