

SHERIFF'S SALE COST SHEET

Bank One, NA vs. Frank & Joy Badlosky
 NO. 39-05 ED NO. 915-03 JD DATE/TIME OF SALE 8-31-05 1100

DOCKET/RETURN	\$15.00
SERVICE PER DEF.	\$ <u>345.00</u>
LEVY (PER PARCEL	\$15.00
MAILING COSTS	\$ <u>77.50</u>
ADVERTISING SALE BILLS & COPIES	\$17.50
ADVERTISING SALE (NEWSPAPER)	\$15.00
MILEAGE	\$ <u>20.00</u>
POSTING HANDBILL	\$15.00
CRYING/ADJOURN SALE	\$10.00
SHERIFF'S DEED	\$35.00
TRANSFER TAX FORM	\$25.00
DISTRIBUTION FORM	\$25.00
COPIES	\$ <u>11.50</u>
NOTARY	\$ <u>10.00</u>
TOTAL ***** \$ <u>636.50</u>	

WEB POSTING	\$150.00
PRESS ENTERPRISE INC.	\$ <u>678.08</u>
SOLICITOR'S SERVICES	\$75.00
TOTAL ***** \$ <u>903.08</u>	

PROTHONOTARY (NOTARY)	- \$10.00
RECORDER OF DEEDS	- \$ <u>41.50</u>
TOTAL ***** \$ <u>51.50</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	\$ <u>142.26</u>
WATER 20	\$
TOTAL ***** \$ <u>142.26</u>	

SURCHARGE FEE (DSTE)	\$ <u>240.00</u>
MISC. _____	\$ _____
_____	\$ _____
TOTAL ***** \$ <u>-0-</u>	

TOTAL COSTS (OPENING BID) \$ 1978.34

1/2 4257.80

COLUMBIA COUNTY SHERIFF'S OFFICE

SHERIFF'S REAL ESTATE FINAL COST SHEET

Bank One, NA vs Frank & Jay Bedlosky

NO. 39-05 ED NO. 915-03 JD

DATE/TIME OF SALE: 8-31-05 1100

BID PRICE (INCLUDES COST) \$ 69000.00

POUNDAGE - 2% OF BID \$ 1380.00

TRANSFER TAX - 2% OF FAIR MKT \$ 1983.12


MISC. COSTS \$

TOTAL AMOUNT NEEDED TO PURCHASE \$ 72363.12

PURCHASER(S): Edward C. Heck

ADDRESS: 1243 Shoemaker Avenue, West Wyoming, PA

NAMES(S) ON DEED: Edward C. Heck 18644

PURCHASER(S) SIGNATURE(S): 

TOTAL DUE: \$ 72363.12

LESS DEPOSIT: \$

DOWN PAYMENT: \$ 7200.00

TOTAL DUE IN 8 DAYS \$ 65163.12

- SHERIFF'S SALE -

Distribution Sheet

Bank One, National Association vs. Frank and Joy Bedosky

NO. 915-2003 JD DATE OF SALE: August 31, 2005

NO. 39-2005 ED

I HEREBY CERTIFY AND RETURN, That in obedience to and by virtue of the within writ, to me directed, I seized and took into execution the within described real estate, and after having given due legal and timely notice of the time and place of sale, by advertisements in divers public newspapers and by handbills set up in the most public places in my bailiwick, I did on (date) August 31, 2005 and (time) 11:00 am, of said day at the Court House, in the Town of Bloomsburg, Pennsylvania, expose said premises to sale at public vendue or outcry, when and where I sold the same to Edward C. Heck ^{12/100} for the price or sum of \$72,363.12 (Seventy Two Thousand Three Hundred Sixty Three ^{12/100} Dollars. Edward C. Heck being the highest and best bidder, and that the highest and best price bidden for the same; which I have applied as follows:

Bid Price	\$ <u>69,000.00</u>	
Poundage	<u>1,380.00</u>	
Transfer Taxes	<u>1,983.12</u>	
Total Needed to Purchase		\$ <u>72,363.12</u>
Amount Paid Down		<u>7,200.00</u>
Balance Needed to Purchase		<u>65,163.12</u>

EXPENSES:

Columbia County Sheriff - Costs.....	\$ <u>626.50</u>	
Poundage	<u>1,380.00</u>	\$ <u>2,006.50</u>
Newspaper		<u>678.08</u>
Printing		<u>-0-</u>
Solicitor		<u>75.00</u>
Columbia County Prothonotary		<u>10.00</u>
Columbia County Recorder of Deeds -	Deed copy work	<u>41.50</u>
	Realty transfer taxes	<u>991.56</u>
	State stamps	<u>991.56</u>
Tax Collector ()	<u>-0-</u>
Columbia County Tax Assessment Office.....		<u>5.00</u>
State Treasurer		<u>240.00</u>
Other: Notary		<u>10.00</u>
Web Posting		<u>150.00</u>
Berwick Sewer Authority		<u>142.26</u>
Lien Search Certificate		<u>250.00</u>
TOTAL EXPENSES:		\$ <u>5,591.46</u>

Total Needed to Purchase	\$ <u>72,363.12</u>	
Less Expenses	<u>5,591.46</u>	
Net to First Lien Holder	<u>22,753.86</u>	
Plus Deposit	<u>1,350.00</u>	
Total to First Lien Holder	\$ <u>24,103.86</u>	
Total to Frank & Joy Bedosky	<u>\$42,667.80</u>	

Sheriff's Office, Bloomsburg, Pa. }
 September 14, 2005

So answers John Adams
T. M. Cheri Sheriff

BANK ONE, NATIONAL ASSOCIATION, : IN THE COURT OF COMMON PLEAS
AS TRUSTEE FOR CERTIFICATE : OF COLUMBIA COUNTY
HOLDERS OF BEAR STEARNS ASSET : CIVIL ACTION-LAW
BACKED SECURITIES, INC. ASSET :
BACKED CERTIFICATES, SERIES :
2002-1, :
:

Plaintiff

vs.

FRANK BEDOSKY, JOY BEDOSKY,
and THE UNITED STATES OF AMERICA, :

Defendants

and

MELLON BANK, N.A., now by assignment, :
CITIZENS BANK OF PENNSYLVANIA, :
now by further assignment, JOHN R. :
ADAMS, :

Petitioner

vs.

TIMOTHY T. CHAMBERLAIN, :
Sheriff of Columbia County, :
FRANK BEDOSKY and JOY BEDOSKY, :

Respondents

NO. 915-CV-2003

ORDER

NOW, this 2nd day of Nov, 2005, upon consideration of John R.

Adams' exceptions to the Sheriff's proposed schedule of distribution, it is hereby

ORDERED that the Sheriff is directed to revise this proposed schedule of distribution in order to make distribution to John R. Adams in the amount of \$42,667.80 and to Frank and Joy Bedosky in the amount of \$0.00.

BY THE COURT



J.

*RECORD OWNER AND
LIEN CERTIFICATE*

Commonwealth Land Title Insurance Company

Premier Real Estate Settlement Services, Inc.

Elwood R. Harding, Jr., Agent

No. 2005-012

ATTACHED TO AND FORMING A PART OF RECORD OWNER AND LIEN
CERTIFICATE NO. 2005 - 012

Subject to the encumbrance and claims as follows:

TAXES: Account No. 6-1-26-02

Lienable Water and Sewer Rents – Collected by Sheriff

Mechanics and Municipal Claims – Collected By Sheriff

Mortgages: **1) Frank Bedosky and Joy Bedosky to Mellon Bank, t/a United Penn Bank**

Dated April 16, 1992

Recorded in Columbia County RB 499, pg 692

Assigned last to Bank One, N.A.

Bank One, N.A. vs. Frank Bedosky and Joy Bedosky

Complaint in Mortgage Foreclosure filed on August 25, 2003 #915 CV MF 2003

Defendant served by Sheriff on September 2, 2003

Judgment in Mortgage Foreclosure filed December 12, 2003

Writ of Execution # 39-2005 re-issued May 9, 2005 served by Sheriff

2) Frank & Joy Bedosky to Small Business Administration

Dated: January 17, 1995

Recorded in Columbia County RB 588, page 599

Notice of sale served by certified mail

Divested by Judicial Sale on # 448 JU 2002 February 9, 2005

3) Frank & Joy Bedosky to 2626-0927 Quebec Inc.

Dated: Sept. 27 1995

Recorded in Columbia County RB 607, page 437

Notice of sale served by certified mail

Divested by Judicial Sale on # 448 JU 2002 February 9, 2005

JUDGMENTS – A) U.S. Treasury vs. Frank & Joy Bedosky

1) 1998 – filed 9-16-1998 # 1253- JU- 1998

2) 2001- filed 5-22-01 # 537-JU-2001

. Right of Redemption Preserved

U.S. Treasury joined as a party and Stipulation filed of record

B) Berwick Area Joint Sewer

C) SEDA COG

D) Commonwealth of PA, Dept. of Revenue

B,C & D were divested by Judicial Sale on # 448 JU 2002 February 9, 2005

Bankruptcies: None open

Exceptions: NONE

NOTE: The status or validity of title to the subject premises may be affected by matters disclosed by survey, rights of parties in possession and other items not found of record and not certified hereon. Therefore, the Applicant is cautioned against using this Certificate as a basis for consummating a real estate transaction, until this Certificate is converted into a Title Binder or Commitment at which time additional exceptions and settlement requirements will be added.

Settlement or removal of items and exceptions will not be made on this Certificate. This Certificate may be converted into a report for title insurance at any time. If the conversion is made within six months from the date hereof, credit will be allowed against the fee previously paid.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Record Owner and Lien Certificate

Order No. 2005-012 Effective Date: August 31, 2005 9:00 AM

Based upon the examination of evidence in the appropriate public records, Company certifies that the premises endorsed hereon are subject to the liens, encumbrances and exceptions to title hereinafter set forth. This Certificate does not constitute title insurance; liability hereunder is assumed by the Company solely in its capacity as a abstractor for its negligence, mistakes or omissions in a sum not exceeding Two Thousand Dollars unless otherwise endorsed hereon.

.....

Legal Description – See attached Exhibit A

Record Owner: Frank Bedosky and Joy Bedosky

Title to the said premises is vested in Frank Bedosky and Joy Bedosky

ALL that certain piece, parcel of tract of land situate in the Borough of Briar Creek, County of Columbia and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING on the northerly side of a road which leads from Old Route 11 to the premises described herein and which point is at the southeast corner of Lot No.11; THENCE along the easterly boundary line of said Lot No.11, North 4 degrees, 14 minutes West, 165.4 feet to a stake on the southerly boundary line of lands now or late of Ted Hess and Arabella Hess, his wife; THENCE along the southerly boundary line of same, North 85 degrees, 46 minutes East, 120 feet to a stake at the northwest corner of Lot No.9; THENCE along the westerly boundary line of same, South 40 degrees, 14 minutes East, 163.4 feet to a stake on the northerly side of the first above-mentioned road; THENCE along the northerly boundary line of said road, south 84 degrees, 46 minutes West, 120 feet to a stake, the place of beginning.

BEING Lot No.10 in David B. Fahringer's Development known as Hillside Village, laid out by Daniel Fahringer on July 30, 1971.

THIS CONVEYANCE is subject to all reservations, restrictions, covenants, and appurtenances as contained in prior deeds in the chain of title.

BEING the same premises which United Penn Bank, by Deed dated April 24, 1990 and recorded in the Office of the Recorder of Deeds of Columbia County on April 30, 1990, in Deed Book 449, Page 837, granted and conveyed unto Frank Bedosky and Joy Bedosky, his wife.

BANK ONE, NATIONAL ASSOCIATION,
AS TRUSTEE FOR CERTIFICATE
HOLDERS OF BEAR STEARNS ASSET
BACKED SECURITIES, INC. ASSET
BACKED CERTIFICATES, SERIES
2002-1,

Plaintiff

vs.

FRANK BEDOSKY, JOY BEDOSKY,
and THE UNITED STATES OF AMERICA,

Defendants

and

MELLON BANK, N.A., now by assignment,
CITIZENS BANK OF PENNSYLVANIA,
now by further assignment, JOHN R.
ADAMS,

Petitioner

vs.

TIMOTHY T. CHAMBERLAIN,
Sheriff of Columbia County,
FRANK BEDOSKY and JOY BEDOSKY,

Respondents

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

2005 OCT -4 A 10:21

NO. 915-CV-2003

ORDER

AND NOW, this 3 day of Oct ~~September~~ 2005, upon consideration
of the attached Exceptions, it is hereby directed that hearing be held on
Monday the 31st day of October, 2005, in Chambers of the Honorable
Scott W. Naus, President Judge, Columbia County Courthouse, Bloomsburg,
Pennsylvania. at 9:30 AM. Notice of this hearing shall be made
upon all parties by the Petitioner.

BY THE COURT:


-----P.J.

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:

United States of America
PO Box 11754
Harrisburg, PA 17108

1. Article Addressed to:

2. Article Number
(Transfer from service label) **7003 0500 0001 9056 1030**

3. Service Type
☒ Certified Mail
☐ Express Mail
☐ Registered
☐ Return Receipt for Merchandise
☐ Insured Mail
☐ C.O.D.
☐ Restricted Delivery? (Extra Fee) ☐ Yes

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

5. Received by (Printed Name) **C. Date of Delivery**

6. Signature **39**

7. Restricted Delivery? (Extra Fee) ☐ Yes

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:

John R. Adams
46 Butler St.
Kingston, PA 18704

1. Article Addressed to:

2. Article Number
(Transfer from service label) **7004 0550 0000 7003 7413**

3. Service Type
☒ Certified Mail
☐ Express Mail
☐ Registered
☐ Return Receipt for Merchandise
☐ Insured Mail
☐ C.O.D.
☐ Restricted Delivery? (Extra Fee) ☐ Yes

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

5. Received by (Printed Name) **C. Date of Delivery**

6. Signature **39**

7. Restricted Delivery? (Extra Fee) ☐ Yes

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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

1. Article Addressed to:

2. Article Number
(Transfer from service label) **7003 0500 0001 9056 1054**

3. Service Type
☒ Certified Mail
☐ Express Mail
☐ Registered
☐ Return Receipt for Merchandise
☐ Insured Mail
☐ C.O.D.
☐ Restricted Delivery? (Extra Fee) ☐ Yes

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

5. Received by (Printed Name) **C. Date of Delivery**

6. Signature **39**

7. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

2. Article Number
(Transfer from service label) **7004 0550 0000 7003 7437**

3. Service Type
☒ Certified Mail
☐ Express Mail
☐ Registered
☐ Return Receipt for Merchandise
☐ Insured Mail
☐ C.O.D.
☐ Restricted Delivery? (Extra Fee) ☐ Yes

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

5. Received by (Printed Name) **C. Date of Delivery**

6. Signature **39**

7. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

2. Article Number
(Transfer from service label) **7004 0550 0000 7003 7475**

3. Service Type
☒ Certified Mail
☐ Express Mail
☐ Registered
☐ Return Receipt for Merchandise
☐ Insured Mail
☐ C.O.D.
☐ Restricted Delivery? (Extra Fee) ☐ Yes

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

5. Received by (Printed Name) **C. Date of Delivery**

6. Signature **39**

7. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

2. Article Number
(Transfer from service label) **7004 0550 0000 7003 7413**

3. Service Type
☒ Certified Mail
☐ Express Mail
☐ Registered
☐ Return Receipt for Merchandise
☐ Insured Mail
☐ C.O.D.
☐ Restricted Delivery? (Extra Fee) ☐ Yes

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

5. Received by (Printed Name) **C. Date of Delivery**

6. Signature **39**

7. Restricted Delivery? (Extra Fee) ☐ Yes

X' fourth Address ☒ **Address**

B. Received by (Printed Name) C. Date of Delivery
Earth #1st Jan 1990

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

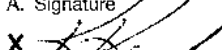
3. Service Type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

Complete items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840,

0500 0001 9056 1047
102555-02 M-31

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ 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. 	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>A. Signature</p> <p>X </p> </div> <div style="width: 50%;"> <p><input type="checkbox"/> Agent 39</p> <p><input checked="" type="checkbox"/> Address</p> </div> </div> </div> <div style="display: flex; border-bottom: 1px solid black;"> <div style="width: 60%; padding-right: 10px;"> <p>B. Received by (Printed Name)</p> <p><i>[Signature]</i></p> </div> <div style="width: 40%; padding-left: 10px;"> <p>C. Date of Delivery</p> <p>2005</p> </div> </div> <div style="margin-top: 10px;"> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes</p> <p style="padding-left: 20px;">If YES, enter delivery address below: <input type="checkbox"/> No</p> </div>
<p>1. Article Addressed to:</p> <p style="margin-top: 20px;">Mellon Bank, N.A.</p> <p style="margin-top: 10px;">8 West Market St.</p> <p style="margin-top: 10px;">Wilkes-Barre, PA 18711</p>	<p>3. Service Type</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><input checked="" type="checkbox"/> Certified Mail</p> <p><input type="checkbox"/> Registered</p> </div> <div style="width: 50%;"> <p><input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> </div> </div>

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:
**American Strip Steel, Inc.
55 Passaic Ave.
Kearny, NJ 07032**

1. Article Addressed to:
**Article Addressed to:
Article Addressed to:
Article Addressed to:**

1. Article Addressed to:
**Article Addressed to:
Article Addressed to:
Article Addressed to:**

1. Article Addressed to:
**Article Addressed to:
Article Addressed to:
Article Addressed to:**

3. Service Type
☒ Certified Mail
☐ Registered
☐ Insured Mail
☐ Express Mail
☐ Return Receipt for Merchandise
☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

3. Service Type
☒ Certified Mail
☐ Registered
☐ Insured Mail
☐ Express Mail
☐ Return Receipt for Merchandise
☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number (Transfer from service label) **7004 0550 0000 7003 7482**
PS Form 3811, February 2004
102595-02-M-140

Article Number (Transfer from service label) **7004 0550 0000 7003 7468**
PS Form 3811, February 2004
102595-02-M-141

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:
**Dept. of Revenue
Dept. 280601
Harrisburg, PA 17128**

2. Article Number (Transfer from service label) **7004 2890 0001 4116 2562**

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-14

COMPLETE THIS SECTION ON DELIVERY

A. Signature **Samuel J. Ventresca** ☐ Agent ☒ Address
B. Received by (Printed Name) **SEP 19 2005** C. Date of Delivery
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:
**John R. Adams
46 Butler St.
Kingston, PA 18704**

2. Article Number (Transfer from service label) **7004 2890 0001 4116 2548**

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-14

COMPLETE THIS SECTION ON DELIVERY

A. Signature **John R. Adams** ☐ Agent ☒ Address
B. Received by (Printed Name) **SEP 19 2005** C. Date of Delivery
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:
**Dept. of Revenue
Dept. 280946
Harrisburg, PA 17128**

2. Article Number (Transfer from service label) **7004 2890 0001 4116 2579**

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-14

COMPLETE THIS SECTION ON DELIVERY

A. Signature **Samuel J. Ventresca** ☐ Agent ☒ Address
B. Received by (Printed Name) **SEP 19 2005** C. Date of Delivery
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

SEDA COG c/o Karen Hackman
Ste. 130 & Rt 11 & 15
Selinsgrove, PA 17870

COMPLETE THIS SECTION ON DELIVERY

A. Signature

39

X

Agent

B. Received by (Printed Name)

Address

C. Date of Delivery

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

(Transfer from service label)

7004 0550 0000 7003 7444

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Commonwealth of PA
PO Box 2675
Harrisburg, PA 17105

COMPLETE THIS SECTION ON DELIVERY

A. Signature

39

X

Agent

B. Received by (Printed Name)

Address

C. Date of Delivery

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

(Transfer from service label)

7004 0550 0000 7003 7420

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

HOURIGAN, KLUGER & QUINN
A PROFESSIONAL CORPORATION

BY: James T. Shoemaker, Esquire

ATTORNEY FOR Plaintiff

IDENTIFICATION NO. 63871

LAW OFFICES
600 THIRD AVENUE
KINGSTON, PA 18704-5815
(570) 287-3000

BANK ONE, NATIONAL ASSOCIATION, : IN THE COURT OF COMMON PLEAS
AS TRUSTEE FOR CERTIFICATE : OF COLUMBIA COUNTY
HOLDERS OF BEAR STEARNS ASSET : CIVIL ACTION-LAW
BACKED SECURITIES, INC. ASSET :
BACKED CERTIFICATES, SERIES :
2002-1, :
:

Plaintiff

vs.

FRANK BEDOSKY, JOY BEDOSKY, :
and THE UNITED STATES OF AMERICA, :
:

Defendants

and

MELLON BANK, N.A., now by assignment, :
CITIZENS BANK OF PENNSYLVANIA, :
now by further assignment, JOHN R. :
ADAMS, :
:

Petitioner

vs.

TIMOTHY T. CHAMBERLAIN, :
Sheriff of Columbia County, :
FRANK BEDOSKY and JOY BEDOSKY, :
:

Respondents

NO. 915-CV-2003

FILED
COTTONWOOD TOWN
2005 SEP 22 12 1:34

**JOHN R. ADAMS' EXCEPTIONS TO THE SHERIFF'S
PROPOSED SCHEDULE OF DISTRIBUTION**

The petitioner, John R. Adams ("Mr. Adams"), by and through his counsel, Hourigan, Kluger & Quinn, P.C., hereby submits, pursuant to Pa. R.C.P. No. 3136, his exceptions to the Sheriff's proposed schedule of distribution in the above-referenced matter as follows:

1. Prior to August 31, 2005, Mr. Adams was the fee owner of the premises commonly known as 241 Fourth Avenue, Berwick, Pennsylvania 18603 (the "Premises"), having purchased the Premises at a Sheriff's sale held at the Columbia County Courthouse on February 9, 2005 in execution on his second lien judgment against the Premises.

2. On August 31, 2005, the plaintiff, Bank One, National Association, as Trustee for Certificate Holders of Bear Stearns Asset Backed Securities, Inc. Asset Backed Certificates, Series 2002-1 ("Bank One"), caused the Sheriff's sale of the Premises on August 31, 2005 in execution on its first lien mortgage.

3. Mr. Adams appeared through counsel at the August 31, 2005 Sheriff's sale and bid to protect his interest in the Premises.

4. There was competitive bidding at the August 31, 2005 Sheriff's sale, and the Premises were sold to a third party for \$69,000.00.

5. In relevant part, the Sheriff proposes to make distribution to Bank One in the amount of \$24,103.86, in order to pay off its first lien mortgage, and to Frank and Joy Bedosky in the amount of \$42,667.80, which is the amount of proceeds collected in excess of the amount needed to pay Sheriff's costs and poundage, real estates taxes and the amount due on Bank One's

first lien mortgage. (A true and correct copy of the Sheriff's proposed schedule of distribution is attached hereto as Exhibit "A" and incorporated herein by reference.)

6. By virtue of his status as the record owner of the Premises, Mr. Adams is entitled to the entire distribution of \$42,667.80, which the Sheriff proposes to pay to the defendants, Frank Bedosky and Joy Bedosky ("Mr. and Mrs. Bedosky").

7. One who purchases real estate that is subject to a judgment under which the property is subsequently sold by a Sheriff is entitled to the excess proceeds of the sale. See Standard Pennsylvania Practice 2d, 2004 §75:119 citing Appeal of Siter, 26 Pa. 178 (1856).

8. In this case, at the time of August 31, 2005 Sheriff's sale of the Premises, Mr. Adams was the legal owner of the property and is entitled to the excess proceeds of the sale. See Standard Pennsylvania Practice 2d at §75:119, Appeal of Siter, 26 Pa. 178 (1856).

9. The fund produced by a Sheriff's sale must be distributed according to the principles of law and equity. See Proje Bros., Inc. v. Proje, 323 F. Supp. 503 (D.C. Pa. 1971); Ferbro Trading Corp. v. Jo-Mar Dress Corp., 78 D.& C. 337 (1952).

10. When Mr. Adams caused the Sheriff's sale of the Premises on his second lien judgment on February 9, 2005, the Premises were encumbered by the following junior liens: (1) mortgage in favor of the Small Business Administration dated January 17, 1995 in the original amount of \$104,900.00; (2) mortgage in favor of Quebec, Inc. dated September 27, 1995 in the original amount of \$150,000.00; (3) judgment of the United States of America entered May 22, 2001 in the amount of \$91,923.25; (4) judgment in favor of the SEDA Council of Governments

entered April 22, 2002 in the amount of \$53,407.75; (5) judgment of the Berwick Area Joint Sewer Authority entered November 1, 2002 in the amount of \$1,054.98; (6) judgment of American Strip Steel Inc. entered December 23, 1994 in the amount of \$10,633.75; (7) judgment of Challenger Electrical Equipment Corporation entered April 2, 1998 in the amount of \$21,995.20; (8) judgment of Caroline Freight Carriers entered April 11, 1997 in the amount of \$93,133.08; (9) judgment of United States of America entered September 16, 1998 in the amount of \$68,374.70; (10) judgment of the Pennsylvania Department of Revenue entered February 22, 1999 in the amount of \$50,640.04; (11) judgment of the Pennsylvania Department of Revenue entered December 12, 2000 in the amount of \$24,450.23.

11. At the time that Mr. Adams purchased the Premises at the February 9, 2005 Sheriff's sale, Mr. Adams paid Sheriff's costs and poundage and outstanding real estate taxes.

12. Thereafter, Mr. Adams paid to insure the property and paid other municipal charges.

13. If the Sheriff's proposed schedule of distribution were allowed to stand, it would produce the inequitable result of Mr. and Mrs. Bedosky to receive a windfall as a result of Mr. Adams' divesting approximately \$650,000.00 in junior liens against the Premises, while, at the same time, penalizing Mr. Adams by refusing to compensate him for his time and money that he put into the Premises in order to protect his interest.

14. As was noted by the Supreme Court in Siter, if the value of the Premises went up, it would have been Mr. Adams gain; however, if the value of Premises went down, or if they

were destroyed by fire, it would have been Mr. Adams' loss. See Siter, 26 Pa. At 180 (citations omitted). Thus, he should be entitled to share in the proceeds after the payment of the Sheriff's costs and poundage, real estate taxes and the payoff to Bank One.

15. Apparently the Sheriff does not dispute that, if Mr. Adams never took title to the Premises, Mr. Adams would be entitled to the proceeds up to the amount of his judgment after the payment of the Sheriff's costs and poundage, real estate taxes and the payoff to Bank One.

16. Yet the Sheriff's proposed schedule of distribution produces the absurd result of Mr. Adams' having placed himself in a worse position by executing on his second lien than if he simply stood by and took no action to enforce it.

17. The Sheriff's proposed schedule of distribution produces the equally absurd result of Mr. and Mrs. Bedosky's improving their position by defaulting on the first lien mortgage in favor of Bank One. As the Supreme Court in Siter noted, if the excess proceeds were distributed to Mr. and Mrs. Bedosky, it would give them the benefit of their own wrong.

18. Alternatively, to the extent that the Sheriff's sale on Mr. Adams' second lien judgment was a nullity (as Mr. and Mrs. Bedosky claimed in response to Mr. Adams' action in ejectment at No. 2005 CV 421), there can be no dispute that Mr. Adams would be entitled to the proceeds after the payment of Sheriff's costs and poundage, real estate taxes and the amount due on Bank One's mortgage, since the rights of lien creditors to the proceeds of a Sheriff's sale are to be determined by their status as shown by the record at the time of the Sheriff's sale. See Farmers Nat. Bank of Pennsburg v. Kern, 194 Pa. Super. 479, 168 A.2d 620 (1961).

WHEREFORE, the Bank respectfully requests the Sheriff to revise his proposed schedule of distribution in order to make distribution to Mr. Adams in the amount of \$42,667.80 and distribution to Frank and Joy Bedosky in the amount of \$0.00.

Respectfully submitted,

HOURIGAN, KLUGER & QUINN, P.C.

BY: 

James T. Shoemaker, Esquire

I.D. No. 63871

Counsel for the Petitioner, John R. Adams

600 Third Avenue
Kingston, PA 18704-5815
(570) 287-3000 (telephone)
(570) 287-8005 (facsimile)

Dated: September 21, 2005

SHERIFF'S SALE

Distribution Sheet

Bank One, National Association

VS. Frank and Joy Bedosky

NO. 915-2003 JD

DATE OF SALE: August 31, 2005

NO. 39-2005 ED

I HEREBY CERTIFY AND RETURN, That in obedience to and by virtue of the within writ, to me directed, I seized and took into execution the within described real estate, and after having given due legal and timely notice of the time and place of sale, by advertisements in divers public newspapers and by handbills set up in the most public places in my bailiwick, I did on (date) August 31, 2005 and (time) 11:00 am, of said day at the Court House, in the Town of Bloomsburg, Pennsylvania, expose said premises to sale at public vendue or outcry, when and where I sold the same to Edward C. Heck for the price or sum of \$72,363.12 (Seventy Two Thousand Three Hundred Sixty Three ^{12/100} Dollars. Edward C. Heck being the highest and best bidder, and that the highest and best price bidden for the same; which I have applied as follows:

Bid Price	\$ 69,000.00	
Poundage	1,380.00	
Transfer Taxes	1,983.12	
Total Needed to Purchase		\$ 72,363.12
Amount Paid Down		7,200.00
Balance Needed to Purchase		65,163.12

EXPENSES:

Columbia County Sheriff - Costs.....	\$ 626.50	
Poundage	1,380.00	\$ 2,006.50
Newspaper.....		678.08
Printing.....		-0-
Solicitor		75.00
Columbia County Prothonotary		10.00
Columbia County Recorder of Deeds -	Deed copy work	41.50
	Realty transfer taxes	991.56
	State stamps	991.56
Tax Collector ()	-0-
Columbia County Tax Assessment Office.....		5.00
State Treasurer		240.00
Other: Notary		10.00
Web Posting		150.00
Berwick Sewer Authority		142.26
Lien Search Certificate		250.00
TOTAL EXPENSES:		\$ 5,591.46

Total Needed to Purchase	\$ 72,363.12
Less Expenses	5,591.46
Net to First Lien Holder	22,753.86
Plus Deposit	1,350.00
Total to First Lien Holder	\$ 24,103.86
Total to Frank & Joy Bedosky	\$42,667.80

Sheriff's Office, Bloomsburg, Pa.

September 14, 2005

So answers



Sheriff

EXHIBIT "A"

HOURIGAN, KLUGER & QUINN
A PROFESSIONAL CORPORATION

BY: James T. Shoemaker, Esquire

ATTORNEY FOR Plaintiff

IDENTIFICATION NO. 63871

LAW OFFICES
600 THIRD AVENUE
KINGSTON, PA 18704-5815
(570) 287-3000

BANK ONE, NATIONAL ASSOCIATION, : IN THE COURT OF COMMON PLEAS
AS TRUSTEE FOR CERTIFICATE : OF COLUMBIA COUNTY
HOLDERS OF BEAR STEARNS ASSET : CIVIL ACTION-LAW
BACKED SECURITIES, INC. ASSET :
BACKED CERTIFICATES, SERIES :
2002-1, :
:

Plaintiff :

vs. :

FRANK BEDOSKY, JOY BEDOSKY, :
and THE UNITED STATES OF AMERICA, :

Defendants :

and :

MELLON BANK, N.A., now by assignment, :
CITIZENS BANK OF PENNSYLVANIA, :
now by further assignment, JOHN R. :
ADAMS, :

Petitioner :

vs. :

TIMOTHY T. CHAMBERLAIN, :
Sheriff of Columbia County, :
FRANK BEDOSKY and JOY BEDOSKY, :

Respondents :

NO. 915-CV-2003

CERTIFICATE OF SERVICE

I, JAMES T. SHOEMAKER, ESQUIRE, hereby certify that I am serving a true and correct copy of the foregoing exceptions upon the respondents, by depositing said document in the United States mail, first class, postage pre-paid, addressed as follows:

Elwood R. Harding, Jr., Esquire
38 West 3rd Street
Bloomsburg, PA 17815

Frank Bedosky
241 4th Avenue
Berwick, PA 18603

Kristine M. Anthou, Esquire
Grenen & Birsic, P. C.
One Gateway Center
Nine West
Pittsburgh, PA 1522


Joy Bedosky
c/o Berwick Lighting
335 South Poplar Street
Berwick, PA 18603

Frank Bedosky
c/o Berwick Lighting
335 South Poplar Street
Berwick, PA 18603

Joy Bedosky
241 4th Avenue
Berwick, PA 18603

HOURIGAN, KLUGER & QUINN, P.C.

By: _____


James T. Shoemaker, Esquire
I.D. No. 63871
Counsel for the Petitioner, Mellon Bank,
N.A., now by assignment, Citizens Bank of
Pennsylvania, now by further assignment,
John R. Adams

600 Third Avenue
Kingston, PA 18704-5815
(570) 287-3000 (telephone)
(570) 287-8005 (facsimile)

Dated: September 21, 2005

HOURIGAN, KLUGER & QUINN

A PROFESSIONAL CORPORATION

BY: James T. Shoemaker, Esquire

ATTORNEY FOR Plaintiff

IDENTIFICATION NO. 63871

LAW OFFICES
600 THIRD AVENUE
KINGSTON, PA 18704-5815
(570) 287-3000

BANK ONE, NATIONAL ASSOCIATION, : IN THE COURT OF COMMON PLEAS
AS TRUSTEE FOR CERTIFICATE : OF COLUMBIA COUNTY
HOLDERS OF BEAR STEARNS ASSET : CIVIL ACTION-LAW
BACKED SECURITIES, INC. ASSET :
BACKED CERTIFICATES, SERIES :
2002-1, :

Plaintiff :

vs. :

FRANK BEDOSKY, JOY BEDOSKY, :
and THE UNITED STATES OF AMERICA, :

Defendants :

and :

MELLON BANK, N.A., now by assignment, :
CITIZENS BANK OF PENNSYLVANIA, :
now by further assignment, JOHN R. :
ADAMS, :

Petitioner :

vs. :

TIMOTHY T. CHAMBERLAIN, :
Sheriff of Columbia County, :
FRANK BEDOSKY and JOY BEDOSKY, :

Respondents : NO. 915-CV-2003

**JOHN R. ADAMS' EXCEPTIONS TO THE SHERIFF'S
PROPOSED SCHEDULE OF DISTRIBUTION**

The petitioner, John R. Adams ("Mr. Adams"), by and through his counsel, Hourigan, Kluger & Quinn, P.C., hereby submits, pursuant to Pa. R.C.P. No. 3136, his exceptions to the Sheriff's proposed schedule of distribution in the above-referenced matter as follows:

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2. On August 31, 2005, the plaintiff, Bank One, National Association, as Trustee for Certificate Holders of Bear Stearns Asset Backed Securities, Inc. Asset Backed Certificates, Series 2002-1 ("Bank One"), caused the Sheriff's sale of the Premises on August 31, 2005 in execution on its first lien mortgage.

3. Mr. Adams appeared through counsel at the August 31, 2005 Sheriff's sale and bid to protect his interest in the Premises.

4. There was competitive bidding at the August 31, 2005 Sheriff's sale, and the Premises were sold to a third party for \$69,000.00.

5. In relevant part, the Sheriff proposes to make distribution to Bank One in the amount of \$24,103.86, in order to pay off its first lien mortgage, and to Frank and Joy Bedosky in the amount of \$42,667.80, which is the amount of proceeds collected in excess of the amount needed to pay Sheriff's costs and poundage, real estates taxes and the amount due on Bank One's

first lien mortgage. (A true and correct copy of the Sheriff's purposed schedule of distribution is attached hereto as Exhibit "A" and incorporated herein by reference.)

6. By virtue of his status as the record owner of the Premises, Mr. Adams is entitled to the entire distribution of \$42,667.80, which the Sheriff proposes to pay to the defendants, Frank Bedosky and Joy Bedosky ("Mr. and Mrs. Bedosky").

7. One who purchases real estate that is subject to a judgment under which the property is subsequently sold by a Sheriff is entitled to the excess proceeds of the sale. See Standard Pennsylvania Practice 2d, 2004 §75:119 citing Appeal of Siter, 26 Pa. 178 (1856).

8. In this case, at the time of August 31, 2005 Sheriff's sale of the Premises, Mr. Adams was the legal owner of the property and is entitled to the excess proceeds of the sale. See Standard Pennsylvania Practice 2d at §75:119, Appeal of Siter, 26 Pa. 178 (1856).

9. The fund produced by a Sheriff's sale must be distributed according to the principles of law and equity. See Proje Bros., Inc. v. Proje, 323 F. Supp. 503 (D.C. Pa. 1971); Ferbro Trading Corp. v. Jo-Mar Dress Corp., 78 D.& C. 337 (1952).

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14. As was noted by the Supreme Court in Siter, if the value of the Premises went up, it would have been Mr. Adams gain; however, if the value of Premises went down, or if they

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15. Apparently the Sheriff does not dispute that, if Mr. Adams never took title to the Premises, Mr. Adams would be entitled to the proceeds up to the amount of his judgment after the payment of the Sheriff's costs and poundage, real estate taxes and the payoff to Bank One.

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WHEREFORE, the Bank respectfully requests the Sheriff to revise his proposed schedule of distribution in order to make distribution to Mr. Adams in the amount of \$42,667.80 and distribution to Frank and Joy Bedosky in the amount of \$0.00.

Respectfully submitted,

HOURIGAN, KLUGER & QUINN, P.C.

BY: 

James T. Shoemaker, Esquire

I.D. No. 63871

Counsel for the Petitioner, John R. Adams

600 Third Avenue
Kingston, PA 18704-5815
(570) 287-3000 (telephone)
(570) 287-8005 (facsimile)

Dated: September 21, 2005

SHERIFF'S SALE

Distribution Sheet

Bank One, National Association vs. Frank and Joy Bedosky

NO. 915-2003 JD DATE OF SALE: August 31, 2005

NO. 39-2005 ED

I HEREBY CERTIFY AND RETURN, That in obedience to and by virtue of the within writ, to me directed, I seized and took into execution the within described real estate, and after having given due legal and timely notice of the time and place of sale, by advertisements in divers public newspapers and by handbills set up in the most public places in my bailiwick, I did on (date) August 31, 2005 and (time) 11:00 am, of said day at the Court House, in the Town of Bloomsburg, Pennsylvania, expose said premises to sale at public vendue or outcry, when and where I sold the same to Edward C. Heck 12/100 for the price or sum of \$72,363.12 (Seventy Two Thousand Three Hundred Sixty Three Dollars. Edward C. Heck being the

highest and best bidder, and that the highest and best price bidden for the same; which I have applied as follows:

Bid Price	\$ 69,000.00	
Poundage	1,380.00	
Transfer Taxes	1,983.12	
Total Needed to Purchase		\$ 72,363.12
Amount Paid Down		7,200.00
Balance Needed to Purchase		65,163.12

EXPENSES:

Columbia County Sheriff - Costs	\$ 626.50	
Poundage	1,380.00	\$ 2,006.50
Newspaper		678.08
Printing		-0-
Solicitor		75.00
Columbia County Prothonotary		10.00
Columbia County Recorder of Deeds - Deed copy work		41.50
Realty transfer taxes		991.56
State stamps		991.56
Tax Collector ()		-0-
Columbia County Tax Assessment Office		5.00
State Treasurer		240.00
Other: Notary		10.00
Web Posting		150.00
Berwick Sewer Authority		142.26
Lien Search Certificate		250.00
TOTAL EXPENSES:		\$ 5,591.46

Total Needed to Purchase	\$ 72,363.12
Less Expenses	5,591.46
Net to First Lien Holder	22,753.86
Plus Deposit	1,350.00
Total to First Lien Holder	\$ 24,103.86
Total to Frank & Joy Bedosky	\$42,667.80

Sheriff's Office, Bloomsburg, Pa.
September 14, 2005

So answers

T. M. Ch. Li Sheriff

EXHIBIT "A"

HOURIGAN, KLUGER & QUINN
A PROFESSIONAL CORPORATION

BY: James T. Shoemaker, Esquire

ATTORNEY FOR Plaintiff

IDENTIFICATION NO. 63871

LAW OFFICES
600 THIRD AVENUE
KINGSTON, PA 18704-5815
(570) 287-3000

BANK ONE, NATIONAL ASSOCIATION, : IN THE COURT OF COMMON PLEAS
AS TRUSTEE FOR CERTIFICATE : OF COLUMBIA COUNTY
HOLDERS OF BEAR STEARNS ASSET : CIVIL ACTION-LAW
BACKED SECURITIES, INC. ASSET :
BACKED CERTIFICATES, SERIES :
2002-1, :

Plaintiff :

vs. :

FRANK BEDOSKY, JOY BEDOSKY, :
and THE UNITED STATES OF AMERICA, :

Defendants :

and :

MELLON BANK, N.A., now by assignment, :
CITIZENS BANK OF PENNSYLVANIA, :
now by further assignment, JOHN R. :
ADAMS, :

Petitioner :

vs. :

TIMOTHY T. CHAMBERLAIN, :
Sheriff of Columbia County, :
FRANK BEDOSKY and JOY BEDOSKY, :

Respondents :

NO. 915-CV-2003

CERTIFICATE OF SERVICE

I, JAMES T. SHOEMAKER, ESQUIRE, hereby certify that I am serving a true and correct copy of the foregoing exceptions upon the respondents, by depositing said document in the United States mail, first class, postage pre-paid, addressed as follows:

Elwood R. Harding, Jr., Esquire
38 West 3rd Street
Bloomsburg, PA 17815

Frank Bedosky
241 4th Avenue
Berwick, PA 18603

Kristine M. Anthou, Esquire
Grenen & Birsic, P. C.
One Gateway Center
Nine West
Pittsburgh, PA 1522


Joy Bedosky
c/o Berwick Lighting
335 South Poplar Street
Berwick, PA 18603

Frank Bedosky
c/o Berwick Lighting
335 South Poplar Street
Berwick, PA 18603

Joy Bedosky
241 4th Avenue
Berwick, PA 18603

HOURIGAN, KLUGER & QUINN, P.C.

By: _____


James T. Shoemaker, Esquire
I.D. No. 63871
Counsel for the Petitioner, Mellon Bank,
N.A., now by assignment, Citizens Bank of
Pennsylvania, now by further assignment,
John R. Adams

600 Third Avenue
Kingston, PA 18704-5815
(570) 287-3000 (telephone)
(570) 287-8005 (facsimile)

Dated: September 21, 2005

BANK ONE, NATIONAL ASSOCIATION, :	IN THE COURT OF COMMON PLEAS
AS TRUSTEE FOR CERTIFICATE :	OF COLUMBIA COUNTY
HOLDERS OF BEAR STEARNS ASSET :	CIVIL ACTION-LAW
BACKED SECURITIES, INC. ASSET :	
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2002-1, :	
Plaintiff :	
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Defendants :	
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CITIZENS BANK OF PENNSYLVANIA, :	
now by further assignment, JOHN R. :	
ADAMS, :	
Petitioner :	
vs. :	
TIMOTHY T. CHAMBERLAIN, :	
Sheriff of Columbia County, :	
FRANK BEDOSKY and JOY BEDOSKY, :	
Respondents :	NO. 915-CV-2003

ORDER

NOW, this _____ day of _____, 2005, upon consideration of John R.

Adams' exceptions to the Sheriff's proposed schedule of distribution, it is hereby

ORDERED that the Sheriff is directed to revise this proposed schedule of distribution in order to make distribution to John R. Adams in the amount of \$42,667.80 and to Frank and Joy Bedosky in the amount of \$0.00.

BY THE COURT

J.

HOURIGAN, KLUGER & QUINN

A PROFESSIONAL CORPORATION

ALLAN M. KLUGER
RICHARD M. GOLDBERG
RICHARD S. BISHOP
JOSEPH E. KLUGER
DONALD C. LIGORIO
MICHELLE M. QUINN
DAVID AIKENS, JR.
AMANDA V. WRIGHT-KLUGER
MICHAEL T. BLAZICK*

JOSEPH A. QUINN, JR.
ARTHUR L. PICCONI
RONALD V. SANTORA
JAMES T. SHOEMAKER
MICHAEL J. KOWALSKI
RICHARD M. WILLIAMS
JENNIFER L. ROGERS*
MICHAEL A. LOMBARDO III

LAW OFFICES
600 THIRD AVENUE
KINGSTON, PA 18704-5815
(570) 287-3000
FACSIMILE (570) 287-8005
E-MAIL: hkq@hkqpc.com

SUITE TWO HUNDRED
434 LACKAWANNA AVENUE
SCRANTON, PA 18503-2014
(570) 346-8414
FACSIMILE (570) 961-5072

OF COUNSEL
ROBERT C. CORDARO

*ALSO MEMBER NJ BAR

ANDREW HOURLGAN, JR.
1948-1978

Ext. 1126

E-Mail: jshoemaker@hkqpc.com

September 21, 2005

Via UPS Next Day Air

Timothy T. Chamberlain
Sheriff of Columbia County
Columbia County Courthouse
P.O. Box 380
Bloomsburg, PA 17815

**RE: Bank One, National Association vs. Frank Bedosky,
Joy Bedosky and The United States of America
No. 915-CV-2003
Our File No. N0160-005**

Dear Sheriff Chamberlain:

I am enclosing for filing, in connection with the above-referenced matter, an original and three copies of John R. Adams' exception to your proposed schedule of distribution, with attached Certificate of Service. I am also enclosing a proposed order which, if approved by the Court, would grant the relief requested in the enclosed exception.

Upon your receipt of the enclosed, please file the original and the requisite number of copies, if any, in your office. Pursuant to Pa. R.C.P. No. 3136(e), please transmit the enclosed to the Prothonotary, together with a copy of your proposed schedule of distribution.

Thereafter, kindly return to me a file-stamped copy of the enclosed in the self-addressed, stamped envelope I am providing for that purpose.

By way of copy of this letter, I am serving a true and correct copy of the enclosed upon Bank One, Frank Bedosky and Joy Bedosky.

Thank you for your attention to this matter.

Timothy T. Chamberlain
September 21, 2005
Page 2

Please call me if you have any questions or require any additional information.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. Shoemaker', with a long horizontal flourish extending to the right.

James T. Shoemaker

JTS/sl

Enclosure

sc: Elwood R. Harding, Jr., Esquire - w/enclosure
Kristine M. Anthou, Esquire - w/enclosure
Frank Bedosky - w/enclosure (2 addresses)
Joy Bedosky - w/enclosure (2 addresses)
John R. Adams - w/enclosure

SHERIFF'S SALE

Distribution Sheet

Bank One, National Association vs. Frank and Joy Bedosky

NO. 915-2003 JD DATE OF SALE: August 31, 2005

NO. 39-2005 ED

I HEREBY CERTIFY AND RETURN, That in obedience to and by virtue of the within writ, to me directed, I seized and took into execution the within described real estate, and after having given due legal and timely notice of the time and place of sale, by advertisements in divers public newspapers and by handbills set up in the most public places in my bailiwick, I did on (date) August 31, 2005 and (time) 11:00 am, of said day at the Court House, in the Town of Bloomsburg, Pennsylvania, expose said premises to sale at public vendue or outcry, when and where I sold the same to Edward C. Heck ^{12/100} for the price or sum of \$72,363.12 (Seventy Two Thousand Three Hundred Sixty Three ^{12/100} Dollars. Edward C. Heck being the highest and best bidder, and that the highest and best price bidden for the same; which I have applied as follows:

Bid Price	\$ 69,000.00	
Poundage	1,380.00	
Transfer Taxes	1,983.12	
Total Needed to Purchase		\$ 72,363.12
Amount Paid Down		7,200.00
Balance Needed to Purchase		65,163.12

EXPENSES:

Columbia County Sheriff - Costs.....	\$ 626.50	
Poundage	1,380.00	\$ 2,006.50
Newspaper		678.08
Printing		-0-
Solicitor		75.00
Columbia County Prothonotary		10.00
Columbia County Recorder of Deeds -	Deed copy work	41.50
	Realty transfer taxes	991.56
	State stamps	991.56
		-0-
Tax Collector ()	5.00
Columbia County Tax Assessment Office		240.00
State Treasurer		10.00
Other: Notary		150.00
Web Posting		142.26
Berwick Sewer Authority		250.00
Lien Search Certificate		5,591.46
TOTAL EXPENSES:		\$ 5,591.46

Total Needed to Purchase	\$ 72,363.12
Less Expenses	5,591.46
Net to First Lien Holder	22,753.86
Plus Deposit	1,350.00
Total to First Lien Holder	\$ 24,103.86
Total to Frank & Joy Bedosky	\$42,667.80

Sheriff's Office, Bloomsburg, Pa.
 September 14, 2005

So answers

T. J. Chalk Sheriff

TIMOTHY T. CHAMBERLAIN



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

To Whom It May Concern:

RE: Bank One, N.A. vs. Frank & Joy Bedosky

Due to the unusual circumstances with this mortgage foreclosure I have enclosed the proposed schedule of distribution for your inspection.

As per Pennsylvania Rules of Court I must prepare a proposed schedule of distribution not later than 30 days after the sale. Exceptions must be filed not later ten days after filing of the proposed schedule of distribution.

Respectfully,

A handwritten signature in black ink, appearing to read "Timothy T. Chamberlain".

Timothy T. Chamberlain
Sheriff

TIMOTHY T. CHAMBERLAIN



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

PHONE
(570) 389-5622

24 HOUR PHONE
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To Whom It May Concern:

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Respectfully,

Timothy T. Chamberlain
Sheriff

EDWARD C HECK
1243 SHOEMAKER AVE
WYOMING, PA 18644-1019

Date 9-7-05

496

50-1/313
335

Pay to the Columbia County Sheriffs Office \$ 65.163.12

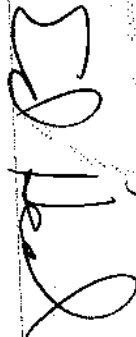
50-1/313
335

Order of Sixty Five Thousand One Hundred Sixty Three and 12/100 Dollars

 PNCBANK

PNC Bank, N.A. 030
Northeast PA

Premium
Plan



MP

For _____

⑆031300012⑆ 9011590406⑈ 0496

COLUMBIA COUNTY SHERIFF'S OFFICE

SHERIFF'S REAL ESTATE FINAL COST SHEET

Bank One, NA vs Frank & Jay Bedlosky

NO. 39-05 ED NO. 915-03 JD

DATE/TIME OF SALE: 8-31-05 1100

BID PRICE (INCLUDES COST) \$ 6900.00

POUNDAGE - 2% OF BID \$ 1380.00

TRANSFER TAX - 2% OF FAIR MKT \$ 1983.12

MISC. COSTS \$

TOTAL AMOUNT NEEDED TO PURCHASE \$ 72363.12

PURCHASER(S): Edward C. Heck 814-6129

ADDRESS: 1243 Shoemaker Avenue, West Wyoming, PA

NAMES(S) ON DEED: Edward C. Heck 18644

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

TOTAL DUE: \$ 72363.12

LESS DEPOSIT: \$

DOWN PAYMENT: \$ 7200.00

TOTAL DUE IN 8 DAYS \$ 65163.12

Tax Collector
Sandra Kershner 759-1741

EDWARD C HECK
1243 SHOEMAKER AVE
WYOMING, PA 18644-1019

492

Pay to the

Date 8-31-05

80-1/313
335

Order of

Columbia Cent Sluiff
Seven Thousand Two Hundred

\$7,200.00

Dollars

PNCBANK

PNC Bank, N.A. 030
Northeast P/A

Premium
Plan

For

52811

⑆031300012⑆ 9011590406⑈ 0492

⑆031300012⑆

0492

MP

39

GRENN & BIRSIC, P.C.

ATTORNEYS AT LAW
One Gateway Center
Nine West
Pittsburgh, Pennsylvania 15222
(412) 281-7650
FAX (412) 281-7657

July 25, 2005

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

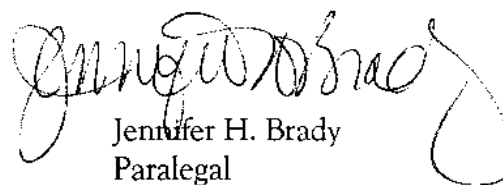
**Re: Bank One National Association, et al. vs. Frank and Joy Bedosky and
the USA
Case No.: 915-CV-2003**

Dear Madam or Sir:

Enclosed please find a copy of Leinholder Affidavit of Service Pursuant to Rule 3129.2(c)(2), Affidavit of Service Defendants/Owners Pursuant to Rule 3129.2, Affidavit of Service of Notice to the Internal Revenue Service and extra copies of the cover pages with respect to the above-referenced matter. The originals have been filed with the Prothonotary Office. Kindly stamp the extra cover pages indicating that you have received your copies and return them to us in the self-addressed, stamped envelope which we have provided.

Thank you for your assistance in this matter. If you have any questions or need anything further, please call me.

Very Truly Yours,


Jennifer H. Brady
Paralegal

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA

BANK ONE, NATIONAL
ASSOCIATION, AS TRUSTEE FOR
CERTIFICATE HOLDERS OF BEAR
STEARNS ASSET BACKED
SECURITIES, INC. ASSET BACKED
CERTIFICATES, SERIES 2002-1,

Plaintiff,

vs.

FRANK BEDOSKY,
JOY BEDOSKY, AND
THE UNITED STATES OF AMERICA,

Defendants.

CIVIL DIVISION

ISSUE NUMBER:

NO.: 915-CV-2003

TYPE OF PLEADING:

Pa. R.C.P. RULE 3129.2(c)
AFFIDAVIT OF SERVICE
DEFENDANTS/OWNERS

CODE -

FILED ON BEHALF OF PLAINTIFF:

Bank One, National Association, as Trustee
for Certificate Holders of Bear Stearns
Asset Backed Securities, Inc. Asset Backed
Certificates, Series 2002-1

COUNSEL OF RECORD FOR THIS
PARTY:

Kristine M. Anthou, Esquire
Pa. I.D. #77991

GRENN & BIRSIC, P.C.
One Gateway Center
9 West
Pittsburgh, PA 15222
(412) 281-7650

SALE DATE: 8/31/05

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA

BANK ONE, NATIONAL
ASSOCIATION, AS TRUSTEE FOR
CERTIFICATE HOLDERS OF BEAR
STEARNS ASSET BACKED
SECURITIES, INC. ASSET BACKED
CERTIFICATES, SERIES 2002-1,

CIVIL DIVISION
NO.: 915-CV-2003

Plaintiff,

vs.

FRANK BEDOSKY,
JOY BEDOSKY, AND
THE UNITED STATES OF AMERICA,

Defendants.

Pa. R.C.P. RULE 3129.2(c) AFFIDAVIT OF SERVICE
DEFENDANTS/OWNERS

Kristine M. Anthou, Esquire, Attorney for Plaintiff, Bank One, National Association, as Trustee for Certificate Holders of Bear Stearns Asset Backed Securities, Inc. Asset Backed Certificates, Series 2002-1, being duly sworn according to law deposes and makes the following Affidavit regarding service of Plaintiff's notice of the sale of real property in this matter on November 26, 2003 as follows:

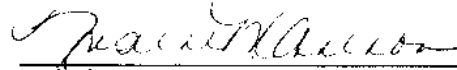
1. John R. Adams is the owner of the real property and has not entered an appearance of record.

2. By letter dated May 18, 2005, the undersigned counsel served Defendant, John R. Adams, with a true and correct copy of Plaintiff's notice of the sale of real property by certified mail, restricted delivery, return receipt requested, addressed to 46 Butler St., Kingston, PA 18704. On or about May 20, 2005, the signed certified mail receipt was returned to Plaintiff, indicating the Defendant was served with the Notice of Sheriff's Sale. A true and correct copy of the returned certified mail receipts, are marked Exhibit "A", attached hereto and made a part hereof.

I verify that the facts contained in this Affidavit are true and correct based upon my personal knowledge, information, and belief.

GRENN & BIRSIC, P.C.

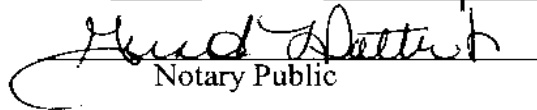
BY:



Kristine M. Anthou, Esquire
Attorneys for Plaintiff
Nine West, One Gateway Center
Pittsburgh, PA 15222
(412) 281-7650

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 2nd DAY OF July, 2005.


Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Gerald L. Potter, Jr., Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires Dec. 10, 2007
Member, Pennsylvania Association Of Notaries