

NO. 135-16 ED NO. 241509 VS. James G. Gandy JD DATE/TIME OF SALE 5/2/01

\$ 6.50

**GOLDBECK McCAFFERTY & McKEEVER  
A PROFESSIONAL CORPORATION  
SUITE 5000 - MELLON INDEPENDENCE CENTER  
701 MARKET STREET  
PHILADELPHIA, PA 19106-1532  
(215) 627-1322  
FAX (215) 627-7734**

October 24, 2006

Columbia

Timothy T. Chamberlain  
SHERIFF OF COLUMBIA COUNTY  
Sheriff's Office  
PO Box 380  
Bloomsburg, PA 17815  
FAX 570-389-5625

RE: M&T BANK F/K/A M&T MORTGAGE CORP.  
vs.  
JAMES A. FAGLEY JR.  
Term No. 2005-CV-843

**Property address:**

**13 Moyle Lane  
Bloomsburg, PA 17815**

Sheriff's Sale Date: October 25, 2006

Dear Sir/Madam:

Kindly stay the Sheriff's Sale with reference to the above-captioned matter and return any unused costs. I collected \$1,5875.77 towards my client's debt.

*215875.77 Any*  
Thank you for your cooperation.

Very truly yours,

  
JOSEPH A. GOLDBECK, JR.

JAG/jlb

cc: Barbara Carr  
M&T MORTGAGE COMPANY  
Acct. #0010255636

# SHERIFF'S SALE COST SHEET

NO. 135-06 ED NO. 843-05 VS. State of Ohio JD DATE/TIME OF SALE Oct. 25 1000

DOCKET/RETURN	\$15.00
SERVICE PER DEF.	\$ <u>15.00</u>
LEVY (PER PARCEL	\$15.00
MAILING COSTS	\$ <u>15.00</u>
ADVERTISING SALE BILLS & COPIES	\$17.50
ADVERTISING SALE (NEWSPAPER)	\$15.00
MILEAGE	\$ <u>1.00</u>
POSTING HANDBILL	\$15.00
CRYING/ADJOURN SALE	\$10.00
SHERIFF'S DEED	\$35.00
TRANSFER TAX FORM	\$25.00
DISTRIBUTION FORM	\$25.00
COPIES	\$ <u>5.50</u>
NOTARY	\$ <u>12.00</u>
TOTAL *****	\$ <u>200.00</u>

WEB POSTING	\$150.00
PRESS ENTERPRISE INC.	\$ <u>15.00</u>
SOLICITOR'S SERVICES	\$75.00
TOTAL *****	\$ <u>240.00</u>

PROTHONOTARY (NOTARY)	\$10.00
RECORDER OF DEEDS	\$ <u>44.50</u>
TOTAL *****	\$ <u>54.50</u>

REAL ESTATE TAXES:	
BORO, TWP & COUNTY 20	\$ <u>          </u>
SCHOOL DIST. 20	\$ <u>          </u>
DELINQUENT 20	\$ <u>          </u>
TOTAL *****	\$ <u>72.00</u>

MUNICIPAL FEES DUE:	
SEWER 20	\$ <u>          </u>
WATER 20	\$ <u>          </u>
TOTAL *****	\$ <u>0.00</u>

SURCHARGE FEE (DSTE)	\$ <u>130.00</u>
MISC. <u>                                </u>	\$ <u>          </u>
TOTAL *****	\$ <u>130.00</u>

TOTAL COSTS (OPENING BID) \$ 460.00

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

MT Bank VS James H. H. H.  
NO. 15506 ED NO. 84307 JD

DATE/TIME OF SALE: Oct 27 1970

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

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

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

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

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

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

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

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

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

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

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

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

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

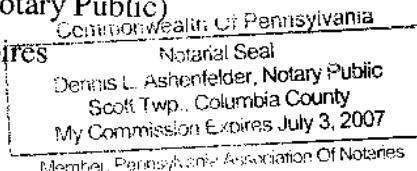
STATE OF PENNSYLVANIA  
COUNTY OF COLUMBIA } SS

Brandon R. Eyerly, Publisher 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 October 4, 11, 18, 2006 as printed and published; that the affiant is one of the officers 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 18<sup>th</sup> day of October 2006

(Notary Public)

My commission expires



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

**X** *C. K. Knapke Jr.*  
 B. Received by (Printed Name) *E. DONOFRIANO*  
 D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

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

7005 0390 0001 2235 7925

Domestic Return Receipt

**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:

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

2. Article Number  
 (Transfer from service label)

7005 0390 0001 2235 7895

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-11

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *[Signature]* ☐ Agent ☒ Address  
 B. Received by (Printed Name) *[Signature]* C. Date of Delivery *AUG 21 2004*  
 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

- 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

2. Article Number  
 (Transfer from service label)

PS Form 3811, February 2004

**SENDER: COMPLETE THIS SECTION**

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

1. Article Addressed to:

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

2. Article Number  
 (Transfer from service label)

7005 0390 0001 2235 7864

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-11

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *[Signature]* ☐ Agent ☒ Address  
 B. Received by (Printed Name) *Faith Alston* C. Date of Delivery *8/21/04*  
 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:

U.S. SMALL BUSINESS ADMINISTRATION  
 PHILADELPHIA DISTRICT OFFICE  
 ROBERT N.C. NIX FEDERAL BUILDING  
 900 MARKET STREET-5<sup>TH</sup> FLOOR  
 PHILADELPHIA, PA 19107

2. Article Number  
 (Transfer from service label)

7005 0390 0001 2235 7888

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-11

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *[Signature]* ☐ Agent ☒ Address  
 B. Received by (Printed Name) *[Signature]* C. Date of Delivery *8/21/04*  
 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:

M&T Bank  
1 M&T Plaza  
Buffalo, NY 14203

## 2. Article Number

(Transfer from service label)

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X GLORIA GILYARD

☐ Agent  
☒ Address

## B. Received by (Printed Name)

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

7005 0390 0001 2235 7918

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-11

## 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:

Manufacturers & Traders Trust  
One Fountain Plaza, 4th Flr  
Buffalo, NY 14203

## 2. Article Number

(Transfer from service label)

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X Thomas Tanyi

## B. Received by (Printed Name)

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

7005 0390 0001 2235 7901

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-11

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

## 2. Article Number

(Transfer from service label)

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X Samuel J. Venturi

## B. Received by (Printed Name)

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

7005 0390 0001 2235 7871

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-11

**GOLDBECK McCAFFERTY & McKEEVER**  
A PROFESSIONAL CORPORATION  
SUITE 5000 MELLON INDEPENDENCE CENTER  
701 MARKET STREET  
PHILADELPHIA, PA 19106  
WWW.GOLDBECKLAW.COM

October 4, 2006

SHERIFF OF COLUMBIA COUNTY  
Sheriff's Office  
PO Box 380  
Bloomsburg, PA 17815

RE: No. 2005-CV-843  
**JAMES A. FAGLEY JR.**

Real Estate Division:

The above case may be sold on October 25, 2006. It has been properly served in accordance with Rule 3129.

Very truly yours,

GOLDBECK McCAFFERTY & McKEEVER

By: **Scott Lion, Paralegal**  
Phone: (215) 825-6345 (direct dial)  
Fax: (215) 825-6445  
Email: [slion@goldbecklaw.com](mailto:slion@goldbecklaw.com)

**Antoniette Black, Paralegal**  
Phone: (215) 825-6347 (direct dial)  
Fax: (215) 825-6447  
Email: [ablack@goldbecklaw.com](mailto:ablack@goldbecklaw.com)



GOLDBECK McCAFFERTY & McKEEVER  
BY: Joseph A. Goldbeck, Jr.  
Attorney I.D.#16132  
Suite 5000 - Mellon Independence Center  
701 Market Street  
Philadelphia, PA 19106-1532  
215-627-1322

MT-0761  
CF: 06/07/2005  
SD: 10/25/2006  
\$69,175.76

Attorney for Plaintiff

M&T BANK F/K/A M&T MORTGAGE CORP.  
PO Box 840  
Buffalo, NY 14240-0840

Plaintiff

vs.

JAMES A. FAGLEY JR.  
**Mortgagor(s) and  
Record Owner(s)**

13 Moyle Lane  
Bloomsburg, PA 17815

Defendant(s)

IN THE COURT OF COMMON PLEAS

of Columbia County

CIVIL ACTION – LAW

ACTION OF MORTGAGE FORECLOSURE

Term  
No. 2005-CV-843

**CERTIFICATE OF SERVICE**  
**PURSUANT TO Pa.R.C.P. 3129.2 (c) (2)**

Joseph A. Goldbeck, Jr., Esquire, Attorney for Plaintiff, hereby certifies that service on the Defendants of the Notice of Sheriff Sale was made by:

- ☒ Personal Service by the Sheriff's Office/~~competent adult~~ (copy of return attached).
- ☐ Certified mail by Joseph A. Goldbeck, Jr. (original green Postal return receipt attached).
- ☐ Certified mail by Sheriff's Office.
- ☐ Ordinary mail by Joseph A. Goldbeck, Jr., Esquire to Attorney for Defendant(s) of record (proof of mailing attached).
- ☐ Acknowledgment of Sheriff's Sale by Attorney for Defendant(s) (proof of acknowledgment attached).
- ☐ Ordinary mail by Sheriff's Office to Attorney for Defendant(s) of record.

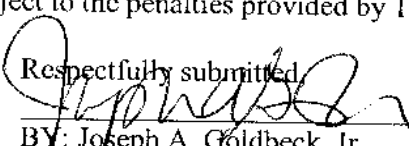
**IF SERVICE WAS ACCOMPLISHED BY COURT ORDER.**

- ☐ Premises was posted by Sheriff's Office/competent adult (copy of return attached).
- ☐ Certified Mail & ordinary mail by Sheriff's Office (copy of return attached).
- ☐ Certified Mail & ordinary mail by Joseph A. Goldbeck, Jr. (original receipt(s) for Certified Mail attached).

Pursuant to the Affidavit under Rule 3129 (copy attached), service on all lienholders (if any) has been made by ordinary mail by Joseph A. Goldbeck, Jr., Esquire (copies of proofs of mailing attached).

The undersigned understands that the statements herein are subject to the penalties provided by 18 P.S. Section 4904.

Respectfully submitted,

  
BY: Joseph A. Goldbeck, Jr.  
Attorney for Plaintiff

7006 0810 0003 8194 5473

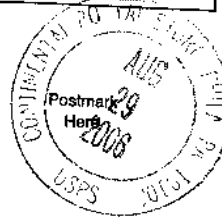
U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	0.39
Return Receipt Fee (Endorsement Required)	Yes
Restricted Delivery Fee (Endorsement Required)	Yes
Total Postage & Fees	\$ 4.64



Sent To

Street, Apt. No., or PO Box No.	MT-076T 10-25
City, State, ZIP+4	JAMES A.
	13 Moyle Lane 17815

PS Form 3800, June 2002 See Reverse for Instructions

Name and Address of Sender  
**GOLDBECK**  
**SUITE 5000**  
**701 MARKET STREET**  
**PHILADELPHIA, PA**  
**19106-1532**

Check type of mail or service;

- ☐ Certified
- ☐ COD
- ☐ Delivery Confirmation
- ☐ Express Mail
- ☐ Insured

- ☐ Recorded Delivery (International)
- ☐ Registered
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation

Affix Stamp Here  
(If issued as a  
certificate of mailing,  
or for additional copies  
of this bill)

UNITED STATES POSTAGE  
\$01.50  
0004340453 AUG 29 2000  
MAILED FROM ZIP CODE 19106

Article Number	Addressee (Name, Street, City, State, & Zip Code)	Postage	Fee	Handling Charge
1.	PA DEPARTMENT OF PUBLIC WELFARE - Bureau of Child Support Enforcement Health and Welfare Bldg. - Room 432 P.O. Box 2675 Harrisburg, PA 17105-2675	MANUFACTURERS & TRADERS TRUST COMPANY One Fountain Plaza, 4th Floor Buffalo, NY 14203		
2.	DOMESTIC RELATIONS OF COLUMBIA COUNTY PO Box 380 Bloomsburg, PA 17815	TENANTS/OCCUPANTS 13 Moyle Lane Bloomsburg, PA 17815		
3.	M&T BANK 1 M&T Plaza Buffalo, NY 14203			
4.				
5.				
6.				
7.				
8.				
Total Number of Places Listed by Sender		Total Number of Pieces Received at Post Office		

See Privacy Act Statement on Reverse

Complete by Typewriter, Ink, or Ball Point Pen

JAMES A. FAGLEY JR.

Columbia

TIMOTHY T. CHAMBERLAIN



SHERIFF OF COLUMBIA COUNTY  
COURT HOUSE - P.O. BOX 380  
BLOOMSBURG, PA 17815  
FAX: (717) 389-5625

PHONE  
(717) 389-5622

24 HOUR PHONE  
(717) 784-6380

M&T BANK F/K/A M&T MORTGAGE CORP. Docket # 135ED2006

VS

MORTGAGE FORECLOSURE

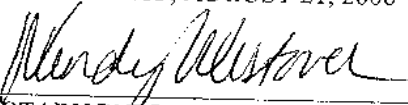
JAMES A. FAGLEY, JR.

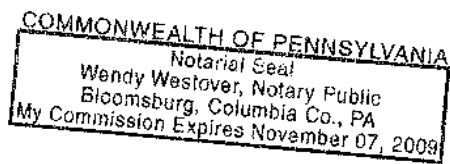
AFFIDAVIT OF SERVICE

NOW, THIS FRIDAY, AUGUST 18, 2006, AT 2:30 PM, SERVED THE WITHIN MORTGAGE FORECLOSURE UPON JAMES FAGLEY JR. AT 13 MOYLE LANE, BLOOMSBURG BY HANDING TO JAMES FAGLEY, JR., A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT AND MADE KNOWN TO THEM THE CONTENTS THEREOF.

SO ANSWERS,

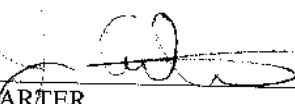
SWORN AND SUBSCRIBED BEFORE ME  
THIS MONDAY, AUGUST 21, 2006

  
NOTARY PUBLIC





X  
TIMOTHY T. CHAMBERLAIN  
SHERIFF

X  
  
J. ARTER  
DEPUTY SHERIFF

**GOLDBECK McCAFFERTY & McKEEVER**

BY: Joseph A. Goldbeck, Jr.  
Attorney I.D.#16132  
Suite 5000 – Mellon Independence Center  
701 Market Street  
Philadelphia, PA 19106  
215-825-6320  
Attorney for Plaintiff

M&T BANK F/K/A M&T MORTGAGE CORP.  
PO Box 840  
Buffalo, NY 14240-0840

Plaintiff

vs.

JAMES A. FAGLEY JR.  
**Mortgagor(s) and Record Owner(s)**

13 Moyle Lane  
Bloomsburg, PA 17815

Defendant(s)

IN THE COURT OF COMMON PLEAS

of Columbia County

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

Term  
No. 2005-CV-843

**AFFIDAVIT PURSUANT TO RULE 3129**

M&T BANK F/K/A M&T MORTGAGE CORP., Plaintiff in the above action, by its attorney, Joseph A. Goldbeck, Jr., Esquire, sets forth as of the date the praecipe for the writ of execution was filed the following information concerning the real property located at:

13 Moyle Lane  
Bloomsburg, PA 17815

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

JAMES A. FAGLEY JR.  
13 Moyle Lane  
Bloomsburg, PA 17815

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

JAMES A. FAGLEY JR.  
13 Moyle Lane  
Bloomsburg, PA 17815

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

PA DEPARTMENT OF PUBLIC WELFARE - Bureau of Child Support Enforcement  
Health and Welfare Bldg. - Room 432  
P.O. Box 2675  
Harrisburg, PA 17105-2675

DOMESTIC RELATIONS OF COLUMBIA COUNTY  
PO Box 380  
Bloomsburg, PA 17815

M&T BANK  
1 M&T Plaza  
Buffalo, NY 14203

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

MANUFACTURERS & TRADERS TRUST COMPANY  
One Fountain Plaza, 4th Floor  
Buffalo, NY 14203

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

6. Name and address of every other person of whom the plaintiff has knowledge who has any record interest in the property which may be affected by the sale.

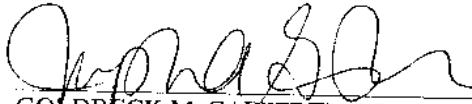
7. Name and address of every other person of whom the plaintiff has knowledge who has any interest in the property which may be affected by the sale.

TENANTS/OCCUPANTS  
13 Moyle Lane  
Bloomsburg, PA 17815

(attach separate sheet if more space is needed)

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

DATED: October 4, 2006

  
GOLDBECK McCafferty & McKeever  
BY: Joseph A. Goldbeck, Jr., Esq.  
Attorney for Plaintiff

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

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

M&T BANK

VS.

JAMES FAGLEY

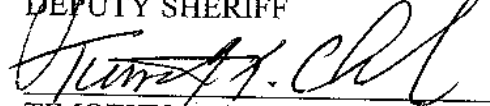
WRIT OF EXECUTION #135 OF 2006 ED

POSTING OF PROPERTY

September 20, 2006 POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE  
PROPERTY OF JAMES FAGLEY AT 13 MOYLE LANE BLOOMSBURG  
COLUMBIA COUNTY PENNSYLVANIA. SAID POSTING PERFORMED BY COLUMBIA COUNTY  
CHIEF DEPUTY SHERIFF JAMES ARTER.

SO ANSWERS:

  
DEPUTY SHERIFF

  
TIMOTHY T. CHAMBERLAIN  
SHERIFF

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 20<sup>TH</sup> DAY OF SEPTEMBER 2006



COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Wendy Westover, Notary Public  
Bloomsburg, Columbia Co., PA  
My Commission Expires November 07, 2009

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

M&T BANK F/K/A M&T MORTGAGE CORP. Docket # 135ED2006

VS

MORTGAGE FORECLOSURE

JAMES A. FAGLEY, JR.

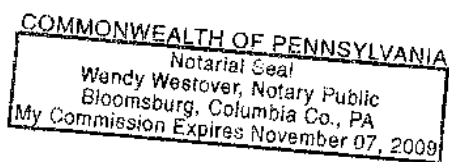
AFFIDAVIT OF SERVICE

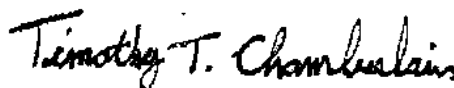
NOW, THIS FRIDAY, AUGUST 18, 2006, AT 2:30 PM, SERVED THE WITHIN MORTGAGE FORECLOSURE UPON JAMES FAGLEY JR. AT 13 MOYLE LANE, BLOOMSBURG BY HANDING TO JAMES FAGLEY, JR., A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT AND MADE KNOWN TO THEM THE CONTENTS THEREOF.

SO ANSWERS,

SWORN AND SUBSCRIBED BEFORE ME  
THIS MONDAY, AUGUST 21, 2006

  
NOTARY PUBLIC





X  
TIMOTHY T. CHAMBERLAIN  
SHERIFF

X   
J. ARTER  
DEPUTY SHERIFF



# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 8/17/2006

SERVICE# 1 - OF - 12 SERVICES  
DOCKET # 135ED2006

PLAINTIFF M&T BANK F/K/A M&T MORTGAGE CORP.

DEFENDANT JAMES A. FAGLEY, JR.  
ATTORNEY FIRM GOLDBECK MCCAFFERTY & MCKEEVER

PERSON/CORP TO SERVED
JAMES FAGLEY JR.
13 MOYLE LANE
BLOOMSBURG

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON AMES

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

DATE 8-18-06 TIME 1430 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

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

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

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

ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

DEPUTY

DATE 8-18-06

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 8/17/2006

SERVICE# 5 - OF - 12 SERVICES  
DOCKET # 135ED2006

PLAINTIFF M&T BANK F/K/A M&T MORTGAGE CORP.

DEFENDANT JAMES A. FAGLEY, JR.  
ATTORNEY FIRM GOLDBECK MCCAFFERTY & MCKEEVER

PERSON/CORP TO SERVED
LUANN SHARROW-TAX COLLECTOR
RIVER HILL
CATAWISSA

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON Good

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

DATE 8-18-06 TIME 1445 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

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

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

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

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

DEPUTY [Signature] DATE 8-18-06

# COLUMBIA COUNTY SHERIFF'S OFFICE PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 8/17/2006

SERVICE# 6 - OF - 12 SERVICES  
DOCKET # 135ED2006

PLAINTIFF M&T BANK F/K/A M&T MORTGAGE CORP.

DEFENDANT JAMES A. FAGLEY, JR.  
ATTORNEY FIRM GOLDBECK MCCAFFERTY & MCKEEVER

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

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON James A. Fagley, Jr.

RELATIONSHIP Customer Service IDENTIFICATION \_\_\_\_\_

DATE 8-18-06 TIME 1410 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

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

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

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

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

DEPUTY J. Galt DATE 8-18-06

# COLUMBIA COUNTY SHERIFF'S OFFICE PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 8/17/2006

SERVICE# 9 - OF - 12 SERVICES  
DOCKET # 135ED2006

PLAINTIFF M&T BANK F/K/A M&T MORTGAGE CORP.

DEFENDANT JAMES A. FAGLEY, JR.  
ATTORNEY FIRM GOLDBECK MCCAFFERTY & MCKEEVER

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

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON DEB. M. HICK

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

DATE 8-18-06 TIME 1345 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

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

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

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

ATTEMPTS

DATE

TIME

OFFICER

REMARKS

DEPUTY

DATE 8-18-06

COUNTY OF COLUMBIA  
REAL ESTATE TAX CERTIFICATION

Date: 08/18/2006

Fee: \$5.00

Cert. NO: 2360

FAGLEY JAMES A JR  
13 MOYLE LANE  
BLOOMSBURG PA 17815

District: CATAWISSA TWP  
Deed: 20040 -3769  
Location: 13 MOYLE LN  
Parcel Id: 09 -10 -018-00,000

Assessment: 14,897  
Balances as of 08/18/2006

YEAR	TAX TYPE	TAX AMOUNT	PENALTY	DISCOUNT	PAID	BALANCE
------	----------	------------	---------	----------	------	---------

NO TAX CLAIM TAXES DUE

By: Timothy I Chamberlain, Per: dm.  
Sheriff

COUNTY OF COLUMBIA  
REAL ESTATE TAX LIEN CERTIFICATE

DATE:18-AUG-06

FEE:\$5.00

CERT. NO:2359

FAGLEY JAMES A JR  
13 MOYLE LANE  
BLOOMSBURG PA 17815

DISTRICT: CATAWISSA TWP  
DEED 20040-3769  
LOCATION: MOYLE LN  
PARCEL: 09 -10 -020-00,000

YEAR	BILL ROLL	AMOUNT	INTEREST	PENDING	COSTS	TOTAL AMOUNT DUE
2005	PRIM	72.69	0.60		0.00	73.29
TOTAL DUE :						\$73.29

TAX CLAIM TOTAL AMOUNT DUE DURING THE MONTH OF: November ,2006

THIS IS TO CERTIFY THAT, ACCORDING TO OUR RECORDS, TAX LIENS AS OF  
DECEMBER 31, 2005

REQUESTED BY: Timothy I. Chamberlain, Sheriff  
dm.

# REAL ESTATE OUTLINE

ED # 135-06

DATE RECEIVED 8-17-06

DOCKET AND INDEX 8-18-06

## CHECK FOR PROPER INFO.

WRIT OF EXECUTION

COPY OF DESCRIPTION

WHEREABOUTS OF LKA

NON-MILITARY AFFIDAVIT

NOTICES OF SHERIFF SALE

WATCHMAN RELEASE FORM

AFFIDAVIT OF LIENS LIST

CHECK FOR \$1,350.00 OR 2000.00

CK# 261355

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

SALE DATE

POSTING DATE

ADV. DATES FOR NEWSPAPER

Oct. 25, 06 TIME 1000

Sept. 26, 06

1<sup>ST</sup> WEEK Oct. 4

2<sup>ND</sup> WEEK 11

3<sup>RD</sup> WEEK 18, 06

# SHERIFF'S SALE

WEDNESDAY OCTOBER 25, 2006 AT 10:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 135 OF 2006 ED AND CIVIL WRIT NO. 843 OF 2005 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

All those certain pieces and parcels of land situated in Catawissa Township, Columbia County, Pennsylvania, bounded and described as follows:

Tract No. 1:

Beginning at a concrete marker on the southern side of the right-of-way of the Pennsylvania Railroad Company, in line of land of Wilson Broadt; thence along the right-of-way of the Pennsylvania Railroad Company, north 72 degrees 15 minutes east, 110 feet to an iron pipe corner in line of land of Edward W. Fisher; thence by same, south 13 degrees east, 165 feet to an iron pipe corner in other lands of the Grantors; thence by the same, south 78 degrees west, 109.5 feet to an iron pipe corner in line of land of Thomas Howser; thence by the same and land of Wilson Broadt, north 13 degrees west, 155 feet to a concrete marker on the southern side of the right-of-way of Pennsylvania Railroad Company, the place of beginning.

Tract No. 2:

Beginning at a corner of land of the North & West Branch Railroad and Charles Bankus, thence by land of said Bankus south 16 degrees E. 150 feet or more to a street laid out; thence by said Street at right angles 50 feet to a corner; thence by land of said Barnes south 16 degrees W. 150 feet or more of land of said Railroad; thence eastwardly along said line 50 feet to a corner, the place of beginning.

Tract No. 3:

Beginning at an iron pin located in line of land of said grantor and located north 9 degrees 19 minutes 14 seconds east, 8.57 feet from the southeasterly corner of a garage located on land of said grantor; thence along land of said grantor, north 2 degrees 46 minutes 52 seconds, 105.40 feet to an iron pin; thence along land of David L. Daly, et ux, north 71 degrees 11 minutes 59 seconds east, 50 feet to an iron pin; thence along land of Adolph M. Zaruskas, south 13 degrees 37 minutes 06 seconds east, 101 feet to an iron pin; thence along land of Pauline R. Fornwald and land of said grantor, south 73 degrees 02 minutes 54 seconds west, 79.69 feet to an iron pin, the place of beginning.

Tract No. 4:

Beginning at a point, being an iron pin corner, in the center of an abandoned road and running thence along the center of said abandoned road South 15 degrees 30 minutes East, a distance of 150.4 feet to a corner, being a stone corner, in the center of said road; running thence on a course generally North 72 degrees 15 minutes East, a distance of approximately 194 feet to an iron pin corner in line of land now or formerly of Wilson Broadt; thence running along the line of land now or formerly of said Broadt, North 13 degrees West, a distance of 150 feet to an iron pin corner in line of the right-of-way of land now or formerly of the North and West Branch Railroad Company; thence by the said line of said Railroad Company, South 72 degrees 15 minutes West, a distance of 196.2 feet to an iron pin corner, the place of beginning. With this description being taken from a survey and draft made by Howard Fetterolf, R.E., on February 15, 1951.

Tax parcel no: 09-10-018; 09-10-020

## TERMS OF SALE

**MINIMUM PAYMENT AT TIME OF SALE:** The greater of ten (10%) percent of the bid price or costs (opening bid at sale). Minimum payment is to be paid in cash, certified check or cashier's check at time of sale.

**REMAINING BALANCE OF BID PRICE:** Any remaining amount of the bid price is to be paid within (8) days after the sale is cash, certified check or cashier's check.

**IMPORTANT NOTICE FOR FAILURE TO PAY BID PRICE:** FAILURE TO PAY THE BID PRICE IN ACCORDANCE WITH THESE TERMS MAY RESULT IN SERIOUS FINANCIAL CONSEQUENCES TO THE BIDDER. DO NOT BID UNLESS FUNDS ARE AVAILABLE FOR PAYMENT WITHIN THE PRESCRIBED TIME PERIOD.

If the successful bidder fails to pay the bid price as per the above terms, the Sheriff may elect either to sue the bidder for the balance due without a resale of the property, or to resell the property at the bidder's risk and maintain an action against the bidder for breach of contract. In the case of a default all sums paid by bidder will be considered forfeited, but will be applied against any damages recoverable. The defaulting bidder will be responsible for any attorney fees incurred by the Sheriff in connection with any action against the bidder in which the bidder is found liable for damages.

Plaintiff's Attorney  
Joseph A. Goldbeck, Jr.  
701 Market Street  
Philadelphia, PA 19106

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



# SHERIFF'S SALE

WEDNESDAY OCTOBER 25, 2006 AT 10:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 135 OF 2006 ED AND CIVIL WRIT NO. 843 OF 2005 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

All those certain pieces and parcels of land situated in Catawissa Township, Columbia County, Pennsylvania, bounded and described as follows:

Tract No. 1:

Beginning at a concrete marker on the southern side of the right-of-way of the Pennsylvania Railroad Company, in line of land of Wilson Broadt; thence along the right-of-way of the Pennsylvania Railroad Company, north 72 degrees 15 minutes east, 110 feet to an iron pipe corner in line of land of Edward W. Fisher; thence by same, south 13 degrees east, 165 feet to an iron pipe corner in other lands of the Grantors; thence by the same, south 78 degrees west, 109.5 feet to an iron pipe corner in line of land of Thomas Howser; thence by the same and land of Wilson Broadt, north 13 degrees west, 155 feet to a concrete marker on the southern side of the right-of-way of Pennsylvania Railroad Company, the place of beginning.

Tract No. 2:

Beginning at a corner of land of the North & West Branch Railroad and Charles Bankus, thence by land of said Bankus south 16 degrees E. 150 feet or more to a street laid out; thence by said Street at right angles 50 feet to a corner; thence by land of said Barnes south 16 degrees W. 150 feet or more of land of said Railroad; thence eastwardly along said line 50 feet to a corner, the place of beginning.

Tract No. 3:

Beginning at an iron pin located in line of land of said grantor and located north 9 degrees 19 minutes 14 seconds east, 8.57 feet from the southeasterly corner of a garage located on land of said grantor; thence along land of said grantor, north 2 degrees 46 minutes 52 seconds, 105.40 feet to an iron pin; thence along land of David L. Daly, et ux, north 71 degrees 11 minutes 59 seconds east, 50 feet to an iron pin; thence along land of Adolph M. Zaruskas, south 13 degrees 37 minutes 06 seconds east, 101 feet to an iron pin; thence along land of Pauline R. Fornwald and land of said grantor, south 73 degrees 02 minutes 54 seconds west, 79.69 feet to an iron pin, the place of beginning.

Tract No. 4:

Beginning at a point, being an iron pin corner, in the center of an abandoned road and running thence along the center of said abandoned road South 15 degrees 30 minutes East, a distance of 150.4 feet to a corner, being a stone corner, in the center of said road; running thence on a course generally North 72 degrees 15 minutes East, a distance of approximately 194 feet to an iron pin corner in line of land now or formerly of Wilson Broadt; thence running along the line of land now or formerly of said Broadt, North 13 degrees West, a distance of 150 feet to an iron pin corner in line of the right-of-way of land now or formerly of the North and West Branch Railroad Company; thence by the said line of said Railroad Company, South 72 degrees 15 minutes West, a distance of 196.2 feet to an iron pin corner, the place of beginning. With this description being taken from a survey and draft made by Howard Fetterolf, R.E., on February 15, 1951.

Tax parcel no: 09-10-018; 09-10-020

## TERMS OF SALE

**MINIMUM PAYMENT AT TIME OF SALE:** The greater of ten (10%) percent of the bid price or costs (opening bid at sale). Minimum payment is to be paid in cash, certified check or cashier's check at time of sale.

**REMAINING BALANCE OF BID PRICE:** Any remaining amount of the bid price is to be paid within (8) days after the sale is cash, certified check or cashier's check.

**IMPORTANT NOTICE FOR FAILURE TO PAY BID PRICE:** FAILURE TO PAY THE BID PRICE IN ACCORDANCE WITH THESE TERMS MAY RESULT IN SERIOUS FINANCIAL CONSEQUENCES TO THE BIDDER. DO NOT BID UNLESS FUNDS ARE AVAILABLE FOR PAYMENT WITHIN THE PRESCRIBED TIME PERIOD.

If the successful bidder fails to pay the bid price as per the above terms, the Sheriff may elect either to sue the bidder for the balance due without a resale of the property, or to resell the property at the bidder's risk and maintain an action against the bidder for breach of contract. In the case of a default all sums paid by bidder will be considered forfeited, but will be applied against any damages recoverable. The defaulting bidder will be responsible for any attorney fees incurred by the Sheriff in connection with any action against the bidder in which the bidder is found liable for damages.

Plaintiff's Attorney  
Joseph A. Goldbeck, Jr.  
701 Market Street  
Philadelphia, PA 19106

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

# SHERIFF'S SALE

WEDNESDAY OCTOBER 25, 2006 AT 10:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 135 OF 2006 ED AND CIVIL WRIT NO. 843 OF 2005 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

All those certain pieces and parcels of land situated in Catawissa Township, Columbia County, Pennsylvania, bounded and described as follows:

Tract No. 1:

Beginning at a concrete marker on the southern side of the right-of-way of the Pennsylvania Railroad Company, in line of land of Wilson Broadt; thence along the right-of-way of the Pennsylvania Railroad Company, north 72 degrees 15 minutes east, 110 feet to an iron pipe corner in line of land of Edward W. Fisher; thence by same, south 13 degrees east, 165 feet to an iron pipe corner in other lands of the Grantors; thence by the same, south 78 degrees west, 109.5 feet to an iron pipe corner in line of land of Thomas Howser; thence by the same and land of Wilson Broadt, north 13 degrees west, 155 feet to a concrete marker on the southern side of the right-of-way of Pennsylvania Railroad Company, the place of beginning.

Tract No. 2:

Beginning at a corner of land of the North & West Branch Railroad and Charles Bankus, thence by land of said Bankus south 16 degrees E. 150 feet or more to a street laid out; thence by said Street at right angles 50 feet to a corner; thence by land of said Barnes south 16 degrees W. 150 feet or more of land of said Railroad; thence eastwardly along said line 50 feet to a corner, the place of beginning.

Tract No. 3:

Beginning at an iron pin located in line of land of said grantor and located north 9 degrees 19 minutes 14 seconds east, 8.57 feet from the southeasterly corner of a garage located on land of said grantor; thence along land of said grantor, north 2 degrees 46 minutes 52 seconds, 105.40 feet to an iron pin; thence along land of David L. Daly, et ux, north 71 degrees 11 minutes 59 seconds east, 50 feet to an iron pin; thence along land of Adolph M. Zaruskas, south 13 degrees 37 minutes 06 seconds east, 101 feet to an iron pin; thence along land of Pauline R. Fornwald and land of said grantor, south 73 degrees 02 minutes 54 seconds west, 79.69 feet to an iron pin, the place of beginning.

Tract No. 4:

Beginning at a point, being an iron pin corner, in the center of an abandoned road and running thence along the center of said abandoned road South 15 degrees 30 minutes East, a distance of 150.4 feet to a corner, being a stone corner, in the center of said road; running thence on a course generally North 72 degrees 15 minutes East, a distance of approximately 194 feet to an iron pin corner in line of land now or formerly of Wilson Broadt; thence running along the line of land now or formerly of said Broadt, North 13 degrees West, a distance of 150 feet to an iron pin corner in line of the right-of-way of land now or formerly of the North and West Branch Railroad Company; thence by the said line of said Railroad Company, South 72 degrees 15 minutes West, a distance of 196.2 feet to an iron pin corner, the place of beginning. With this description being taken from a survey and draft made by Howard Fetterolf, R.E., on February 15, 1951.

Tax parcel no: 09-10-018; 09-10-020

## TERMS OF SALE

**MINIMUM PAYMENT AT TIME OF SALE:** The greater of ten (10%) percent of the bid price or costs (opening bid at sale). Minimum payment is to be paid in cash, certified check or cashier's check at time of sale.

**REMAINING BALANCE OF BID PRICE:** Any remaining amount of the bid price is to be paid within (8) days after the sale is cash, certified check or cashier's check.

**IMPORTANT NOTICE FOR FAILURE TO PAY BID PRICE: FAILURE TO PAY THE BID PRICE IN ACCORDANCE WITH THESE TERMS MAY RESULT IN SERIOUS FINANCIAL CONSEQUENCES TO THE BIDDER. DO NOT BID UNLESS FUNDS ARE AVAILABLE FOR PAYMENT WITHIN THE PRESCRIBED TIME PERIOD.**

If the successful bidder fails to pay the bid price as per the above terms, the Sheriff may elect either to sue the bidder for the balance due without a resale of the property, or to resell the property at the bidder's risk and maintain an action against the bidder for breach of contract. In the case of a default all sums paid by bidder will be considered forfeited, but will be applied against any damages recoverable. The defaulting bidder will be responsible for any attorney fees incurred by the Sheriff in connection with any action against the bidder in which the bidder is found liable for damages.

Plaintiff's Attorney  
Joseph A. Goldbeck, Jr.  
701 Market Street  
Philadelphia, PA 19106

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

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180-3183 AND Rule 3257

M&T BANK F/K/A M&T MORTGAGE CORP.  
PO Box 840  
Buffalo, NY 14240-0840

vs.

JAMES A. FAGLEY JR.  
13 Moyle Lane  
Bloomsburg, PA 17815

In the Court of Common Pleas of  
Columbia County

No. 2005-CV-843

*2006-ED-135*

WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

Commonwealth of Pennsylvania:

County of Columbia

To the Sheriff of Columbia County, Pennsylvania

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

PREMISES: 13 Moyle Lane Bloomsburg, PA 17815

See Exhibit "A" attached

AMOUNT DUE

\$69,175.76

Interest From 12/20/2004  
Through 08/15/2006

(Costs to be added)

Dated:

8/17/2006

*Tami B. Kelie*

Prothonotary, Common Pleas Court  
of Columbia County, Pennsylvania

Deputy

*Elizabeth A. Brennan*

all those certain pieces and parcels of land situated in Catawissa Township, Columbia County, Pennsylvania, bounded and described as follows:

Tract No. 1:

Beginning at a concrete marker on the southern side of the right-of-way of the Pennsylvania Railroad Company, in line of land of Wilson Broadt; thence along the right-of-way of the Pennsylvania Railroad Company, north 72 degrees 15 minutes east, 110 feet to an iron pipe corner in line of land of Edward W. Fisher; thence by same, south 13 degrees east, 165 feet to an iron pipe corner in other lands of the Grantors; thence by the same, south 78 degrees west, 109.5 feet to an iron pipe corner in line of land of Thomas Howser; thence by the same and land of Wilson Broadt, north 13 degrees west, 155 feet to a concrete marker on the southern side of the right-of-way of Pennsylvania Railroad Company, the place of beginning.

Tract No. 2:

Beginning at a corner of land of the North & West Branch Railroad and Charles Bankus, thence by land of said Bankus south 16 degrees E. 150 feet or more to a street laid out; thence by said Street at right angles 50 feet to a corner; thence by land of said Barnes south 16 degrees W. 150 feet or more of land of said Railroad; thence eastwardly along said line 50 feet to a corner, the place of beginning.

Tract No. 3:

Beginning at an iron pin located in line of land of said grantor and located north 9 degrees 19 minutes 14 seconds east, 8.57 feet from the southeasterly corner of a garage located on land of said grantor; thence along land of said grantor, north 2 degrees 46 minutes 52 seconds, 105.40 feet to an iron pin; thence along land of David L. Daly, et ux, north 71 degrees 11 minutes 59 seconds east, 50 feet to an iron pin; thence along land of Adolph M. Zarauskas, south 13 degrees 37 minutes 06 seconds east, 101 feet to an iron pin; thence along land of Pauline R. Fornwald and land of said grantor, south 73 degrees 02 minutes 54 seconds west, 79.69 feet to an iron pin, the place of beginning.

Tract No. 4:

Beginning at a point, being an iron pin corner, in the center of an abandoned road and running thence along the center of said abandoned road South 15 degrees 30 minutes East, a distance of 150.4 feet to a corner, being a stone corner, in the center of said road; running thence on a course generally North 72 degrees 15 minutes East, a distance of approximately 194 feet to an iron pin corner in line of land now or formerly of Wilson Broadt; thence running along the line of land now or formerly of said Broadt, North 13 degrees West, a distance of 150 feet to an iron pin corner in line of the right-of-way of land now or formerly of the North and West Branch Railroad Company; thence by the said line of said Railroad Company, South 72 degrees 15 minutes West, a distance of 196.2 feet to an iron pin corner, the place of beginning. With this description being taken from a survey and draft made by Howard Fetterolf, R.E., on February 15, 1951.

Tax parcel no: 09-10-018; 09-10-020

Term  
No. 2005-CV-843

IN THE COURT OF COMMON PLEAS

M&T BANK F/K/A M&T MORTGAGE CORP.

vs.

JAMES A. FAGLEY JR.  
Mortgagor(s)  
13 Moyile Lane Bloomsburg, PA 17815

REAL DEBT	
INTEREST from	
COSTS PAID:	
PROTHY	\$
SHERIFF	\$
STATUTORY	\$
COSTS DUE PROTHY	\$
Office of Judicial Support	\$
Judg. Fee	\$
Cr.	\$
Sat.	\$

WRIT OF EXECUTION  
(Mortgage Foreclosure)

\$69,175.76

Joseph A. Goldbeck, Jr.  
Attorney for Plaintiff

**Goldbeck McCafferty & McKeever**  
Suite 5000 – Mellon Independence Center  
701 Market Street  
Philadelphia, PA 19106  
(215) 627-1322

All those certain pieces and parcels of land situated in Catawissa Township, Columbia County, Pennsylvania, bounded and described as follows:

Tract No. 1:

Beginning at a concrete marker on the southern side of the right-of-way of the Pennsylvania Railroad Company, in line of land of Wilson Broadt; thence along the right-of-way of the Pennsylvania Railroad Company, north 72 degrees 15 minutes east, 110 feet to an iron pipe corner in line of land of Edward W. Fisher; thence by same, south 13 degrees east, 165 feet to an iron pipe corner in other lands of the Grantors; thence by the same, south 78 degrees west, 109.5 feet to an iron pipe corner in line of land of Thomas Howser; thence by the same and land of Wilson Broadt, north 13 degrees west, 155 feet to a concrete marker on the southern side of the right-of-way of Pennsylvania Railroad Company, the place of beginning.

Tract No. 2:

Beginning at a corner of land of the North & West Branch Railroad and Charles Bankus, thence by land of said Bankus south 16 degrees E. 150 feet or more to a street laid out; thence by said Street at right angles 50 feet to a corner; thence by land of said Barnes south 16 degrees W. 150 feet or more of land of said Railroad; thence eastwardly along said line 50 feet to a corner, the place of beginning.

Tract No. 3:

Beginning at an iron pin located in line of land of said grantor and located north 9 degrees 19 minutes 14 seconds east, 8.57 feet from the southeasterly corner of a garage located on land of said grantor; thence along land of said grantor, north 2 degrees 46 minutes 52 seconds, 105.40 feet to an iron pin; thence along land of David L. Daly, et ux, north 71 degrees 11 minutes 59 seconds east, 50 feet to an iron pin; thence along land of Adolph M. Zarauskas, south 13 degrees 37 minutes 06 seconds east, 101 feet to an iron pin; thence along land of Pauline R. Fornwald and land of said grantor, south 73 degrees 02 minutes 54 seconds west, 79.69 feet to an iron pin, the place of beginning.

Tract No. 4:

Beginning at a point, being an iron pin corner, in the center of an abandoned road and running thence along the center of said abandoned road South 15 degrees 30 minutes East, a distance of 150.4 feet to a corner, being a stone corner, in the center of said road; running thence on a course generally North 72 degrees 15 minutes East, a distance of approximately 194 feet to an iron pin corner in line of land now or formerly of Wilson Broadt; thence running along the line of land now or formerly of said Broadt, North 13 degrees West, a distance of 150 feet to an iron pin corner in line of the right-of-way of land now or formerly of the North and West Branch Railroad Company; thence by the said line of said Railroad Company, South 72 degrees 15 minutes West, a distance of 196.2 feet to an iron pin corner, the place of beginning. With this description being taken from a survey and draft made by Howard Fetterolf, R.E., on February 15, 1951.

Tax parcel no: 09-10-018; 09-10-020

All those certain pieces and parcels of land situated in Catawissa Township, Columbia County, Pennsylvania, bounded and described as follows:

Tract No. 1:

Beginning at a concrete marker on the southern side of the right-of-way of the Pennsylvania Railroad Company, in line of land of Wilson Broadt; thence along the right-of-way of the Pennsylvania Railroad Company, north 72 degrees 15 minutes east, 110 feet to an iron pipe corner in line of land of Edward W. Fisher; thence by same, south 13 degrees east, 165 feet to an iron pipe corner in other lands of the Grantors; thence by the same, south 78 degrees west, 109.5 feet to an iron pipe corner in line of land of Thomas Howser; thence by the same and land of Wilson Broadt, north 13 degrees west, 155 feet to a concrete marker on the southern side of the right-of-way of Pennsylvania Railroad Company, the place of beginning.

Tract No. 2:

Beginning at a corner of land of the North & West Branch Railroad and Charles Bankus, thence by land of said Bankus south 16 degrees E. 150 feet or more to a street laid out; thence by said Street at right angles 50 feet to a corner; thence by land of said Barnes south 16 degrees W. 150 feet or more of land of said Railroad; thence eastwardly along said line 50 feet to a corner, the place of beginning.

Tract No. 3:

Beginning at an iron pin located in line of land of said grantor and located north 9 degrees 19 minutes 14 seconds east, 8.57 feet from the southeasterly corner of a garage located on land of said grantor; thence along land of said grantor, north 2 degrees 46 minutes 52 seconds, 105.40 feet to an iron pin; thence along land of David L. Daly, et ux, north 71 degrees 11 minutes 59 seconds east, 50 feet to an iron pin; thence along land of Adolph M. Zarauskas, south 13 degrees 37 minutes 06 seconds east, 101 feet to an iron pin; thence along land of Pauline R. Fornwald and land of said grantor, south 73 degrees 02 minutes 54 seconds west, 79.69 feet to an iron pin, the place of beginning.

Tract No. 4:

Beginning at a point, being an iron pin corner, in the center of an abandoned road and running thence along the center of said abandoned road South 15 degrees 30 minutes East, a distance of 150.4 feet to a corner, being a stone corner, in the center of said road; running thence on a course generally North 72 degrees 15 minutes East, a distance of approximately 194 feet to an iron pin corner in line of land now or formerly of Wilson Broadt; thence running along the line of land now or formerly of said Broadt, North 13 degrees West, a distance of 150 feet to an iron pin corner in line of the right-of-way of land now or formerly of the North and West Branch Railroad Company; thence by the said line of said Railroad Company, South 72 degrees 15 minutes West, a distance of 196.2 feet to an iron pin corner, the place of beginning. With this description being taken from a survey and draft made by Howard Fetterolf, R.E., on February 15, 1951.

Tax parcel no: 09-10-018; 09-10-020

All those certain pieces and parcels of land situated in Catawissa Township, Columbia County, Pennsylvania, bounded and described as follows:

Tract No. 1:

Beginning at a concrete marker on the southern side of the right-of-way of the Pennsylvania Railroad Company, in line of land of Wilson Broadt; thence along the right-of-way of the Pennsylvania Railroad Company, north 72 degrees 15 minutes east, 110 feet to an iron pipe corner in line of land of Edward W. Fisher; thence by same, south 13 degrees east, 165 feet to an iron pipe corner in other lands of the Grantors; thence by the same, south 78 degrees west, 109.5 feet to an iron pipe corner in line of land of Thomas Howser; thence by the same and land of Wilson Broadt, north 13 degrees west, 155 feet to a concrete marker on the southern side of the right-of-way of Pennsylvania Railroad Company, the place of beginning.

Tract No. 2:

Beginning at a corner of land of the North & West Branch Railroad and Charles Bankus, thence by land of said Bankus south 16 degrees E. 150 feet or more to a street laid out; thence by said Street at right angles 50 feet to a corner; thence by land of said Barnes south 16 degrees W. 150 feet or more of land of said Railroad; thence eastwardly along said line 50 feet to a corner, the place of beginning.

Tract No. 3:

Beginning at an iron pin located in line of land of said grantor and located north 9 degrees 19 minutes 14 seconds east, 8.57 feet from the southeasterly corner of a garage located on land of said grantor; thence along land of said grantor, north 2 degrees 46 minutes 52 seconds, 105.40 feet to an iron pin; thence along land of David L. Daly, et ux, north 71 degrees 11 minutes 59 seconds east, 50 feet to an iron pin; thence along land of Adolph M. Zaruskas, south 13 degrees 37 minutes 06 seconds east, 101 feet to an iron pin; thence along land of Pauline R. Fornwald and land of said grantor, south 73 degrees 02 minutes 54 seconds west, 79.69 feet to an iron pin, the place of beginning.

Tract No. 4:

Beginning at a point, being an iron pin corner, in the center of an abandoned road and running thence along the center of said abandoned road South 15 degrees 30 minutes East, a distance of 150.4 feet to a corner, being a stone corner, in the center of said road; running thence on a course generally North 72 degrees 15 minutes East, a distance of approximately 194 feet to an iron pin corner in line of land now or formerly of Wilson Broadt; thence running along the line of land now or formerly of said Broadt, North 13 degrees West, a distance of 150 feet to an iron pin corner in line of the right-of-way of land now or formerly of the North and West Branch Railroad Company; thence by the said line of said Railroad Company, South 72 degrees 15 minutes West, a distance of 196.2 feet to an iron pin corner, the place of beginning. With this description being taken from a survey and draft made by Howard Fetterolf, R.E., on February 15, 1951.

Tax parcel no: 09-10-018; 09-10-020



All those certain pieces and parcels of land situated in Catawissa Township, Columbia County, Pennsylvania, bounded and described as follows:

Tract No. 1:

Beginning at a concrete marker on the southern side of the right-of-way of the Pennsylvania Railroad Company, in line of land of Wilson Broadt; thence along the right-of-way of the Pennsylvania Railroad Company, north 72 degrees 15 minutes east, 110 feet to an iron pipe corner in line of land of Edward W. Fisher; thence by same, south 13 degrees east, 165 feet to an iron pipe corner in other lands of the Grantors; thence by the same, south 78 degrees west, 109.5 feet to an iron pipe corner in line of land of Thomas Howser; thence by the same and land of Wilson Broadt, north 13 degrees west, 155 feet to a concrete marker on the southern side of the right-of-way of Pennsylvania Railroad Company, the place of beginning.

Tract No. 2:

Beginning at a corner of land of the North & West Branch Railroad and Charles Bankus, thence by land of said Bankus south 16 degrees E. 150 feet or more to a street laid out; thence by said Street at right angles 50 feet to a corner; thence by land of said Barnes south 16 degrees W. 150 feet or more of land of said Railroad; thence eastwardly along said line 50 feet to a corner, the place of beginning.

Tract No. 3:

Beginning at an iron pin located in line of land of said grantor and located north 9 degrees 19 minutes 14 seconds east, 8.57 feet from the southeasterly corner of a garage located on land of said grantor; thence along land of said grantor, north 2 degrees 46 minutes 52 seconds, 105.40 feet to an iron pin; thence along land of David L. Daly, et ux, north 71 degrees 11 minutes 59 seconds east, 50 feet to an iron pin; thence along land of Adolph M. Zarauskas, south 13 degrees 37 minutes 06 seconds east, 101 feet to an iron pin; thence along land of Pauline R. Fornwald and land of said grantor, south 73 degrees 02 minutes 54 seconds west, 79.69 feet to an iron pin, the place of beginning.

Tract No. 4:

Beginning at a point, being an iron pin corner, in the center of an abandoned road and running thence along the center of said abandoned road South 15 degrees 30 minutes East, a distance of 150.4 feet to a corner, being a stone corner, in the center of said road; running thence on a course generally North 72 degrees 15 minutes East, a distance of approximately 194 feet to an iron pin corner in line of land now or formerly of Wilson Broadt; thence running along the line of land now or formerly of said Broadt, North 13 degrees West, a distance of 150 feet to an iron pin corner in line of the right-of-way of land now or formerly of the North and West Branch Railroad Company; thence by the said line of said Railroad Company, South 72 degrees 15 minutes West, a distance of 196.2 feet to an iron pin corner, the place of beginning. With this description being taken from a survey and draft made by Howard Fetterolf, R.E., on February 15, 1951.

Tax parcel no: 09-10-018; 09-10-020

All those certain pieces and parcels of land situated in Catawissa Township, Columbia County, Pennsylvania, bounded and described as follows:

Tract No. 1:

Beginning at a concrete marker on the southern side of the right-of-way of the Pennsylvania Railroad Company, in line of land of Wilson Broadt; thence along the right-of-way of the Pennsylvania Railroad Company, north 72 degrees 15 minutes east, 110 feet to an iron pipe corner in line of land of Edward W. Fisher; thence by same, south 13 degrees east, 165 feet to an iron pipe corner in other lands of the Grantors; thence by the same, south 78 degrees west, 109.5 feet to an iron pipe corner in line of land of Thomas Howser; thence by the same and land of Wilson Broadt, north 13 degrees west, 155 feet to a concrete marker on the southern side of the right-of-way of Pennsylvania Railroad Company, the place of beginning.

Tract No. 2:

Beginning at a corner of land of the North & West Branch Railroad and Charles Bankus, thence by land of said Bankus south 16 degrees E. 150 feet or more to a street laid out; thence by said Street at right angles 50 feet to a corner; thence by land of said Barnes south 16 degrees W. 150 feet or more of land of said Railroad; thence eastwardly along said line 50 feet to a corner, the place of beginning.

Tract No. 3:

Beginning at an iron pin located in line of land of said grantor and located north 9 degrees 19 minutes 14 seconds east, 8.57 feet from the southeasterly corner of a garage located on land of said grantor; thence along land of said grantor, north 2 degrees 46 minutes 52 seconds, 105.40 feet to an iron pin; thence along land of David L. Daly, et ux, north 71 degrees 11 minutes 59 seconds east, 50 feet to an iron pin; thence along land of Adolph M. Zarauskas, south 13 degrees 37 minutes 06 seconds east, 101 feet to an iron pin; thence along land of Pauline R. Fornwald and land of said grantor, south 73 degrees 02 minutes 54 seconds west, 79.69 feet to an iron pin, the place of beginning.

Tract No. 4:

Beginning at a point, being an iron pin corner, in the center of an abandoned road and running thence along the center of said abandoned road South 15 degrees 30 minutes East, a distance of 150.4 feet to a corner, being a stone corner, in the center of said road; running thence on a course generally North 72 degrees 15 minutes East, a distance of approximately 194 feet to an iron pin corner in line of land now or formerly of Wilson Broadt; thence running along the line of land now or formerly of said Broadt, North 13 degrees West, a distance of 150 feet to an iron pin corner in line of the right-of-way of land now or formerly of the North and West Branch Railroad Company; thence by the said line of said Railroad Company, South 72 degrees 15 minutes West, a distance of 196.2 feet to an iron pin corner, the place of beginning. With this description being taken from a survey and draft made by Howard Fetterolf, R.E., on February 15, 1951.

Tax parcel no: 09-10-018; 09-10-020

All those certain pieces and parcels of land situated in Catawissa Township, Columbia County, Pennsylvania, bounded and described as follows:

Tract No. 1:

Beginning at a concrete marker on the southern side of the right-of-way of the Pennsylvania Railroad Company, in line of land of Wilson Broadt; thence along the right-of-way of the Pennsylvania Railroad Company, north 72 degrees 15 minutes east, 110 feet to an iron pipe corner in line of land of Edward W. Fisher; thence by same, south 13 degrees east, 165 feet to an iron pipe corner in other lands of the Grantors; thence by the same, south 78 degrees west, 109.5 feet to an iron pipe corner in line of land of Thomas Howser; thence by the same and land of Wilson Broadt, north 13 degrees west, 155 feet to a concrete marker on the southern side of the right-of-way of Pennsylvania Railroad Company, the place of beginning.

Tract No. 2:

Beginning at a corner of land of the North & West Branch Railroad and Charles Bankus, thence by land of said Bankus south 16 degrees E. 150 feet or more to a street laid out; thence by said Street at right angles 50 feet to a corner; thence by land of said Barnes south 16 degrees W. 150 feet or more of land of said Railroad; thence eastwardly along said line 50 feet to a corner, the place of beginning.

Tract No. 3:

Beginning at an iron pin located in line of land of said grantor and located north 9 degrees 19 minutes 14 seconds east, 8.57 feet from the southeasterly corner of a garage located on land of said grantor; thence along land of said grantor, north 2 degrees 46 minutes 52 seconds, 105.40 feet to an iron pin; thence along land of David L. Daly, et ux, north 71 degrees 11 minutes 59 seconds east, 50 feet to an iron pin; thence along land of Adolph M. Zarauskas, south 13 degrees 37 minutes 06 seconds east, 101 feet to an iron pin; thence along land of Pauline R. Fornwald and land of said grantor, south 73 degrees 02 minutes 54 seconds west, 79.69 feet to an iron pin, the place of beginning.

Tract No. 4:

Beginning at a point, being an iron pin corner, in the center of an abandoned road and running thence along the center of said abandoned road South 15 degrees 30 minutes East, a distance of 150.4 feet to a corner, being a stone corner, in the center of said road; running thence on a course generally North 72 degrees 15 minutes East, a distance of approximately 194 feet to an iron pin corner in line of land now or formerly of Wilson Broadt; thence running along the line of land now or formerly of said Broadt, North 13 degrees West, a distance of 150 feet to an iron pin corner in line of the right-of-way of land now or formerly of the North and West Branch Railroad Company; thence by the said line of said Railroad Company, South 72 degrees 15 minutes West, a distance of 196.2 feet to an iron pin corner, the place of beginning. With this description being taken from a survey and draft made by Howard Fetterolf, R.E., on February 15, 1951.

Tax parcel no: 09-10-018; 09-10-020

Goldbeck McCafferty & McKeever  
BY: Joseph A. Goldbeck, Jr.  
Attorney I.D. #16132  
Suite 5000 – Mellon Independence Center  
701 Market Street  
Philadelphia, PA 19106  
215-627-1322  
Attorney for Plaintiff

M&T BANK F/K/A M&T MORTGAGE CORP.  
PO Box 840  
Buffalo, NY 14240-0840

Plaintiff

vs.

JAMES A. FAGLEY JR.  
(Mortgagor(s) and Record Owner(s))  
13 Moyle Lane  
Bloomsburg, PA 17815

Defendant(s)

IN THE COURT OF COMMON PLEAS  
of Columbia County

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

No. 2005-CV-843

*2006-ED. 135*

AFFIDAVIT PURSUANT TO RULE 3129

M&T BANK F/K/A M&T MORTGAGE CORP., Plaintiff in the above action, by its attorney, Joseph A. Goldbeck, Jr., Esquire, sets forth as of the date the praecipe for the writ of execution was filed the following information concerning the real property located at:

13 Moyle Lane  
Bloomsburg, PA 17815

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

JAMES A. FAGLEY JR.  
13 Moyle Lane  
Bloomsburg, PA 17815

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

JAMES A. FAGLEY JR.  
13 Moyle Lane  
Bloomsburg, PA 17815

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

PA DEPARTMENT OF PUBLIC WELFARE - Bureau of Child Support Enforcement  
Health and Welfare Bldg. - Room 432  
P.O. Box 2675  
Harrisburg, PA 17105-2675

DOMESTIC RELATIONS OF COLUMBIA COUNTY  
PO Box 380  
Bloomsburg, PA 17815

M&T BANK

FILED  
PROTHONOTARY  
2006 AUG 16 A 11:58  
CLERK OF COURTS OFFICE  
COUNTY OF COLUMBIA, PA

1 M&T Plaza  
Buffalo, NY 14203

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

MANUFACTURERS & TRADERS TRUST COMPANY  
One Fountain Plaza, 4th Floor  
Buffalo, NY 14203

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

6. Name and address of every other person of whom the plaintiff has knowledge who has any record interest in the property which may be affected by the sale.

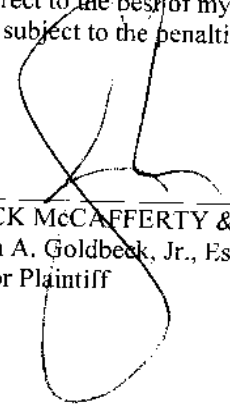
7. Name and address of every other person of whom the plaintiff has knowledge who has any interest in the property which may be affected by the sale.

TENANTS/OCCUPANTS  
13 Moyle Lane  
Bloomsburg, PA 17815

(attach separate sheet if more space is needed)

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

DATED: August 15, 2006



\_\_\_\_\_  
GOLDBECK McCafferty & McKEEVER  
BY: Joseph A. Goldbeck, Jr., Esq.  
Attorney for Plaintiff

Goldbeck McCafferty & McKeever  
BY: Joseph A. Goldbeck, Jr.  
Attorney I.D. #16132  
Suite 5000 - Mellon Independence Center  
701 Market Street  
Philadelphia, PA 19106  
215-627-1322  
Attorney for Plaintiff

M&T BANK F/K/A M&T MORTGAGE CORP.  
PO Box 840  
Buffalo, NY 14240-0840

Plaintiff

vs.

JAMES A. FAGLEY JR.  
(Mortgagor(s) and Record Owner(s))  
13 Moyle Lane  
Bloomsburg, PA 17815

Defendant(s)

IN THE COURT OF COMMON PLEAS  
of Columbia County

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

No. 2005-CV-843

*2006-ED-135*

**AFFIDAVIT PURSUANT TO RULE 3129**

M&T BANK F/K/A M&T MORTGAGE CORP., Plaintiff in the above action, by its attorney, Joseph A. Goldbeck, Jr., Esquire, sets forth as of the date the praecipe for the writ of execution was filed the following information concerning the real property located at:

13 Moyle Lane  
Bloomsburg, PA 17815

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

JAMES A. FAGLEY JR.  
13 Moyle Lane  
Bloomsburg, PA 17815

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

JAMES A. FAGLEY JR.  
13 Moyle Lane  
Bloomsburg, PA 17815

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

PA DEPARTMENT OF PUBLIC WELFARE - Bureau of Child Support Enforcement  
Health and Welfare Bldg. - Room 432  
P.O. Box 2675  
Harrisburg, PA 17105-2675

DOMESTIC RELATIONS OF COLUMBIA COUNTY  
PO Box 380  
Bloomsburg, PA 17815

M&T BANK

FILED  
PROTHONOTARY  
2006 AUG 16 A 11:58  
CLERK OF COURTS OFFICE  
COUNTY OF COLUMBIA, PA

1 M&T Plaza  
Buffalo, NY 14203

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

MANUFACTURERS & TRADERS TRUST COMPANY  
One Fountain Plaza, 4th Floor  
Buffalo, NY 14203

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

6. Name and address of every other person of whom the plaintiff has knowledge who has any record interest in the property which may be affected by the sale.

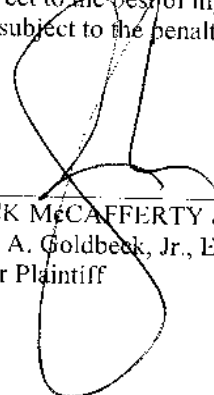
7. Name and address of every other person of whom the plaintiff has knowledge who has any interest in the property which may be affected by the sale.

TENANTS/OCCUPANTS  
13 Moyle Lane  
Bloomsburg, PA 17815

(attach separate sheet if more space is needed)

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

DATED: August 15, 2006



\_\_\_\_\_  
GOLDBECK McCAFFERTY & McKEEVER  
BY: Joseph A. Goldbeck, Jr., Esq.  
Attorney for Plaintiff

**GOLDBECK McCAFFERTY & McKEEVER**

BY: Joseph A. Goldbeck, Jr.  
Attorney I.D.#16132  
Suite 5000 - Mellon Independence Center  
701 Market Street  
Philadelphia, PA 19106-1532  
215-627-1322  
Attorney for Plaintiff

M&T BANK F/K/A M&T MORTGAGE CORP.  
PO Box 840  
Buffalo, NY 14240-0840  
Plaintiff

vs.

JAMES A. FAGLEY JR.  
Mortgagor(s) and Record Owner(s)

13 Moyle Lane  
Bloomsburg, PA 17815

Defendant(s)

IN THE COURT OF COMMON PLEAS

of Columbia County

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

Term

No. 2005-CV-843

*2006-ED-135*

**THIS LAW FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE.**

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

TO: FAGLEY, JR., JAMES A.  
**JAMES A. FAGLEY JR.**  
13 Moyle Lane  
Bloomsburg, PA 17815

Your house at 13 Moyle Lane, Bloomsburg, PA 17815 is scheduled to be sold at Sheriff's Sale on \_\_\_\_\_, at 9:00 AM, in Sheriff's Office, Courthouse, Bloomsburg, PA to enforce the court judgment of \$69,175.76 obtained by M&T BANK F/K/A M&T MORTGAGE CORP. against you.

**NOTICE OF OWNER'S RIGHTS**  
**YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE**

To prevent this Sheriff's Sale you must take immediate action:

1. The sale will be cancelled if you pay to M&T BANK F/K/A M&T MORTGAGE CORP., the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay call: 215-627-1322
2. You may be able to stop the sale by filing a petition asking the Court to strike or open judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.



3. You may also be able to stop the sale through other legal proceedings.

You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See notice below on how to obtain an attorney).

**YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS  
EVEN IF THE SHERIFF'S SALE DOES NOT TAKE PLACE.**

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid price by calling the Sheriff of Columbia County at 570-389-5624.
2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.
3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened, you may call the Sheriff of Columbia County at 570-389-5624.
4. If the amount due from the Buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.
5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You may be entitled to a share of the money which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff within thirty (30) days from the date of the Sheriff's Sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the schedule of distribution is filed.
7. You may also have other rights and defenses, or ways of getting your house back, if you act immediately after the sale.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE LISTED BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

NORTH PENN LEGAL SERVICES F/K/A SUSQUEHANNA LEGAL SERVICES  
168 E. 5th Street  
Bloomsburg, PA 17815

PENNSYLVANIA BAR ASSOCIATION  
P.O. Box 186  
Harrisburg, PA 17108

Joseph A. Goldbeck, Jr.  
Attorney I.D. #16132  
Suite 5000 – Mellon Independence Center  
701 Market Street  
Philadelphia, PA 19106  
215-627-1322  
Attorney for Plaintiff

M&T BANK F/K/A M&T MORTGAGE CORP.  
PO Box 840  
Buffalo, NY 14240-0840

Plaintiff

vs.

JAMES A. FAGLEY JR.  
**Mortgagor(s) and Record Owner(s)**  
13 Moyle Lane  
Bloomsburg, PA 17815

Defendant(s)

IN THE COURT OF  
COMMON PLEAS

of Columbia County

CIVIL ACTION - LAW

ACTION OF  
MORTGAGE FORECLOSURE

NO. 2005-CV-843

*2006-ED-135*

**CERTIFICATION AS TO THE SALE OF REAL PROPERTY**

I, Joseph A. Goldbeck, Jr., Esquire hereby certify that I am the attorney of record for the Plaintiff in this action, and I further certify that this property is subject to Act 91 of 1983 and the Plaintiff has complied with all the provisions of the Act.

Joseph A. Goldbeck, Jr.  
Attorney for plaintiff

GOLDBECK McCAFFERTY & McKEEVER  
BY: Joseph A. Goldbeck, Jr.  
Attorney I.D.#16132  
Suite 5000 - Mellon Independence Center  
701 Market Street  
Philadelphia, PA 19106  
215-627-1322  
Attorney for Plaintiff

M&T BANK F/K/A M&T MORTGAGE CORP.  
PO Box 840  
Buffalo, NY 14240-0840

Plaintiff

vs.

JAMES A. FAGLEY JR.  
Mortgagor(s) and Record Owner(s)

13 Moyle Lane  
Bloomsburg, PA 17815

Defendant(s)

IN THE COURT OF COMMON PLEAS

of Columbia County

CIVIL ACTION – LAW

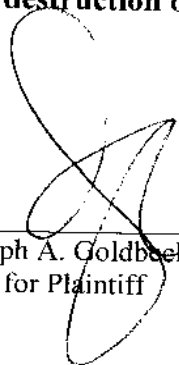
ACTION OF MORTGAGE FORECLOSURE

No. 2005-CV-843

*2006-ED-135*

**WAIVER OF WATCHMAN**

**Any Deputy Sheriff levying upon or attaching any property under within 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.**

  
BY: Joseph A. Goldbeck, Jr.  
Attorney for Plaintiff

GOLDBECK McCAFFERTY & McKEEVER  
BY: Joseph A. Goldbeck, Jr.  
Attorney I.D.#16132  
Suite 5000 - Mellon Independence Center  
701 Market Street  
Philadelphia, PA 19106  
215-627-1322  
Attorney for Plaintiff

M&T BANK F/K/A M&T MORTGAGE CORP.  
PO Box 840  
Buffalo, NY 14240-0840

Plaintiff

vs.

JAMES A. FAGLEY JR.  
Mortgagor(s) and Record Owner(s)

13 Moyle Lane  
Bloomsburg, PA 17815

Defendant(s)

IN THE COURT OF COMMON PLEAS

of Columbia County

CIVIL ACTION – LAW

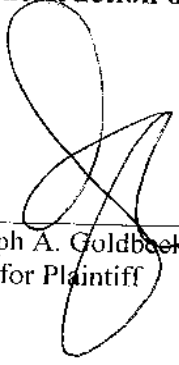
ACTION OF MORTGAGE FORECLOSURE

No. 2005-CV-843

*2006-ED-135*

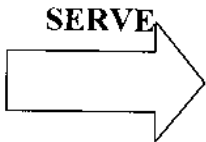
**WAIVER OF WATCHMAN**

**Any Deputy Sheriff levying upon or attaching any property under within 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.**

  
BY: Joseph A. Goldbeck, Jr.  
Attorney for Plaintiff

## SHERIFF'S DEPARTMENT Columbia COUNTY

<b>SHERIFF SERVICE INSTRUCTIONS</b>		
PLAINTIFF/S/ M&T BANK F/K/A M&T MORTGAGE CORP.	COURT NUMBER 2005-CV-843	
DEFENDANT/S/ JAMES A. FAGLEY JR.	TYPE OF <u>WRIT</u> OR COMPLAINT EXECUTION - MORTGAGE FORECLOSURE	



**AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE  
JAMES A. FAGLEY JR.

ADDRESS (Street or Road, Apartment No., City, Boro, Twp., State and ZIP Code)  
13 Moyle Lane, Bloomsburg, PA 17815

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:

**PLEASE SERVE THE ABOVE DEFENDANT OR PERSON IN CHARGE.**

SIGNATURE OF ATTORNEY <i>Joseph A. Goldbeck, Jr.</i>	TELEPHONE NUMBER (215) 627-1322	DATE August 15, 2006
ADDRESS OF ATTORNEY  GOLDBECK McCAFFERTY & McKEEVER Suite 5000 – Mellon Independence Center 701 Market Street Philadelphia, PA 19106-1532		

**GOLDBECK McCAFFERTY & McKEEVER**

BY: Joseph A. Goldbeck, Jr.  
Attorney I.D.#16132  
Suite 5000 - Mellon Independence Center  
701 Market Street  
Philadelphia, PA 19106-1532  
215-627-1322  
Attorney for Plaintiff

M&T BANK F/K/A M&T MORTGAGE CORP.  
PO Box 840  
Buffalo, NY 14240-0840  
Plaintiff

vs.

JAMES A. FAGLEY JR.  
**Mortgagor(s) and Record Owner(s)**

13 Moyle Lane  
Bloomsburg, PA 17815

Defendant(s)

IN THE COURT OF COMMON PLEAS

of Columbia County

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

Term  
No. 2005-CV-843

**THIS LAW FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE.**

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

TO: FAGLEY, JR., JAMES A.  
**JAMES A. FAGLEY JR.**  
13 Moyle Lane  
Bloomsburg, PA 17815

Your house at 13 Moyle Lane, Bloomsburg, PA 17815 is scheduled to be sold at Sheriff's Sale on \_\_\_\_\_, at 9:00 AM, in Sheriff's Office, Courthouse, Bloomsburg, PA to enforce the court judgment of \$69,175.76 obtained by M&T BANK F/K/A M&T MORTGAGE CORP. against you.

**NOTICE OF OWNER'S RIGHTS**  
**YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE**

To prevent this Sheriff's Sale you must take immediate action:

1. The sale will be cancelled if you pay to M&T BANK F/K/A M&T MORTGAGE CORP., the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay call: 215-627-1322
2. You may be able to stop the sale by filing a petition asking the Court to strike or open judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.

3. You may also be able to stop the sale through other legal proceedings.

You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See notice below on how to obtain an attorney).

**YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS  
EVEN IF THE SHERIFF'S SALE DOES NOT TAKE PLACE.**

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid price by calling the Sheriff of Columbia County at 570-389-5624.
2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.
3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened, you may call the Sheriff of Columbia County at 570-389-5624.
4. If the amount due from the Buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.
5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You may be entitled to a share of the money which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff within thirty (30) days from the date of the Sheriff's Sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the schedule of distribution is filed.
7. You may also have other rights and defenses, or ways of getting your house back, if you act immediately after the sale.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE LISTED BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

NORTH PENN LEGAL SERVICES F/K/A SUSQUEHANNA LEGAL SERVICES  
168 E. 5th Street  
Bloomsburg, PA 17815

PENNSYLVANIA BAR ASSOCIATION  
P.O. Box 186  
Harrisburg, PA 17108

**GOLDBECK McCAFFERTY & McKEEVER**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

SUITE 5000  
MELLON INDEPENDENCE CENTER  
701 MARKET STREET  
PHILADELPHIA, PA 19106  
[WWW.GOLDBECKLAW.COM](http://WWW.GOLDBECKLAW.COM)

August 15, 2006

Tami Kline  
Prothonotary of Columbia County  
PO Box 380  
Bloomsburg, PA 17815

RE:

M&T BANK F/K/A M&T MORTGAGE CORP.

vs.

JAMES A. FAGLEY JR.  
No. 2005-CV-843

Kindly take Judgment and issue the Writ of Execution and forward the same to the Sheriff's Office.

Please return a copy of the enclosed pleadings to my office with your time stamp affixed thereto in the stamped, self-addressed envelope for this purpose.

Thank you for your cooperation in this matter.

Package prepared by tinamarie.

Judgment / Writ / Sale Department  
**Kelly Norris - Supervisor**  
Direct: (215) 825-6362  
Fax: (215) 825-6462  
[KNorris@goldbecklaw.com](mailto:KNorris@goldbecklaw.com)

FILED  
PROTHONOTARY  
2006 AUG 16 A 11:56  
CLERK OF COURTS OFFICE  
COUNTY OF COLUMBIA, PA

**\*\*\*If you have received an incorrect filing fee. Please contact Kelly Norris at the phone number listed above or Barbara Hand (215) 825-6320, and we will immediately overnight a check to you for the correct amount.**



GOLDBECK MCCAFFERTY & MCKEEVER  
A PROFESSIONAL CORPORATION  
SUITE 5000, MELLON INDEPENDENCE CENTER  
701 MARKET STREET  
PHILADELPHIA, PA 19106

PAY  
TO THE  
ORDER OF

*Sheriff of Columbia County*

TWO THOUSAND AND XX / 100

\$ 2,000.00

DOLLAR

FIRSTTRUST BANK

3-7380/2360

08/15/2006

267355

MEMO *Fagley*

MORTGAGE DISBURSEMENT ACCOUNT

*[Signature]*  
AUTHORIZED SIGNATURE

⑈ 267355⑈ ⑆ 23607380⑆ 70 100018⑈

Security features. Details on back.