

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

Washington Mutual Bank VS Joe Garza aka Chavez

NO. 202-06 ED NO. 1547-06 JD

DATE/TIME OF SALE: Apr 25, 07 1000

BID PRICE (INCLUDES COST) \$ 3009.54

POUNDAGE - 2% OF BID \$ 60.19

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

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

TOTAL AMOUNT NEEDED TO PURCHASE \$ 3069.73

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

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

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

PURCHASER(S) SIGNATURE(S): Shirley S. Mull

Agent for Phelan Hallinan & Schmieg

TOTAL DUE: \$ 3069.73

LESS DEPOSIT: \$ 1350.00

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

TOTAL DUE IN 8 DAYS \$ 1719.73

# SHERIFF'S SALE COST SHEET

Washington Mutual bank vs. Joe Cruz aka Chance  
 NO. 202-06 ED NO. 1547-06 JD DATE/TIME OF SALE Apr 25, 07 1000

DOCKET/RETURN	\$15.00	
SERVICE PER DEF.	\$ <u>165.00</u>	
LEVY (PER PARCEL	\$15.00	
MAILING COSTS	\$ <u>32.50</u>	
ADVERTISING SALE BILLS & COPIES	\$17.50	
ADVERTISING SALE (NEWSPAPER)	\$15.00	
MILEAGE	\$ <u>24.00</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>10.00</u>	
TOTAL *****		\$ <u>409.50</u>

WEB POSTING	\$150.00	
PRESS ENTERPRISE INC.	\$ <u>849.40</u>	
SOLICITOR'S SERVICES	\$75.00	
TOTAL *****		\$ <u>1074.40</u>

PROTHONOTARY (NOTARY)	\$10.00	
RECORDER OF DEEDS	\$ <u>72.50</u>	
TOTAL *****		\$ <u>82.50</u>

REAL ESTATE TAXES:		
BORO, TWP & COUNTY 20		\$ <u>532.91</u>
SCHOOL DIST. 20		\$
DELINQUENT 20		\$ <u>5.00</u>
TOTAL *****		\$ <u>537.91</u>

MUNICIPAL FEES DUE:		
SEWER 20		\$ <u>818.13</u>
WATER 20		\$
TOTAL *****		\$ <u>818.13</u>

SURCHARGE FEE (DSTE)		\$ <u>170.00</u>
MISC. _____	\$ _____	
_____	\$ _____	
TOTAL *****		\$ <u>-0-</u>

TOTAL COSTS (OPENING BID) \$ 3007.94

PHELAN HALLINAN & SCHMIEG, LLP

1617 JFK Boulevard, Suite 1400

Philadelphia, PA 19103

Operator Assisted 215-563-7000, Ext 1477

Automated Assisted 320-0007-Ext, 1477

Fax: 215-563-7009

[nora.ferrer@fedphe-pa.com](mailto:nora.ferrer@fedphe-pa.com)

Nora Ferrer  
Legal Assistant, ext. 1477

Representing Lenders in  
Pennsylvania and New Jersey

April 26, 2007

Office of the Sheriff  
Columbia County Courthouse  
5 West Main Street  
Bloomsburg, PA 17815

Re: CRUZ, A. Jose a/k/a Jose C. Chaves  
1008-1010 Market Street  
Berwick, PA 18603  
No. 2006-1547

SEARCHED  
SERIALIZED  
INDEXED  
FILED  
MAY 1 2007  
FBI - PHILADELPHIA

Dear Sir or Madam:

I hereby assign my bid on the above captioned property, which was knocked-down to Daniel G. Schmieg as "attorney-on-the-writ" to FEDERAL HOME LOAN MORTGAGE CORPORATION, Foreclosure Unit, Mail Stop 61, P.O. Box 5000, Vienna, VA 22183-5000.

Please record the Sheriff's Deed and send a copy via facsimile at your earliest convenience.

In addition, please find enclosed two (2) Statements of Value along with two (2) stamped self-addressed envelopes for your convenience.

Thank you in advance for your cooperation in this matter.

Yours truly,



Nora Ferrer

Enclosure

cc: WAMU

Account No. 0619925910

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF REVENUE  
BUREAU OF INDIVIDUAL TAXES  
DEPT. 280603  
HARRISBURG, PA 17128-0603

**REALTY TRANSFER TAX  
STATEMENT OF VALUE**

See Reverse for Instructions

**RECORDER'S USE ONLY**

State Tax Paid

Book Number

Page Number

Date Recorded

Complete each section and file in duplicate with Recorders of Deeds when (1) the full value/consideration is not set forth in the deed, (2) when the deed is without consideration, or by gift, or (3) a tax exemption is claimed. A statement of value is not required if the transfer is wholly exempt from tax based on: (1) family relationship or (2) public utility easement. If more space is needed, attach additional sheet(s).

**A CORRESPONDENT - All inquiries may be directed to the following person:**

Name <b>Daniel G. Schmieg, Esquire</b>		Suite 1400		Telephone Number:	
Street Address <b>One Penn Center at Suburban Station 1617 JFK Blvd.</b>		City <b>Philadelphia</b>		Area Code ( 215 ) 563-7000	
		State <b>PA</b>		Zip Code <b>19103</b>	

**B TRANSFER DATA**

Grantor(s)/Lessor(s) <b>Timothy T. Chamberlain - Sheriff Columbia County Courthouse</b>		Grantee(s)/Lessee(s) <b>FEDERAL HOME LOAN MORTGAGE CORPORATION</b>	
Street Address <b>P.O. Box 380, 35 W. Main St.</b>		Street Address <b>1900 Market Street, Suite 800</b>	
City <b>Bloomsburg</b>	State <b>PA</b>	Zip Code <b>17815</b>	City <b>Philadelphia</b>
			State <b>PA</b>
			Zip Code <b>19103</b>

**C PROPERTY LOCATION**

Street Address <b>1008-1010 Market Street, Berwick, PA 18603</b>		City, Township, Borough <b>Borough of Berwick</b>	
County <b>COLUMBIA</b>	School District <b>Borough of Berwick</b>	Tax Parcel Number <b>04A-03-021-00,000</b>	

**D VALUATION DATA**

1. Actual Cash Consideration <b>\$3,009.54</b>	2. Other Consideration <b>+ -0-</b>	3. Total Consideration <b>= \$3,009.54</b>
4. County Assessed Value <b>\$53,500.00</b>	5. Common Level Ratio Factor <b>x 3.47</b>	6. Fair Market Value <b>= \$ 185,645.00</b>

**E EXEMPTION DATA**

1a. Amount of Exemption Claimed <b>100%</b>	1b. Percentage of Interest Conveyed <b>100%</b>
--	--

2. Check Appropriate Box Below for Exemption Claimed

- ☐ Will or intestate succession \_\_\_\_\_  
(Name of Decedant) (Estate File Number)
- ☐ Transfer to Industrial Development Agency.
- ☐ Transfer to a Trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- ☐ Transfer between principal and agent. (Attach complete copy of agency/straw party agreement.)
- ☒ Transfer from mortgagor to a holder of a mortgage in default. Mortgage Book Number 20051, Page Number 1190.
- ☐ Transfers to the Commonwealth, the United States and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- ☐ Corrective or confirmatory deed. (Attach complete copy of the prior deed being corrected or confirmed.)
- ☐ Other (Please explain exemption claimed, if other than listed above. Transfer to FEDERAL HOME LONA MORTGAGE CORPORATION "This Transfer is an exempt transaction based on 72 P.S. Sect. 8102-C.3.(2) and 12 U.S.C. Sect. 1723a ( c ) (2)

Under Penalties of law, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete

Signature of Correspondent or Responsible Party <b>DANIEL G. SCHMIEG, ESQUIRE</b>	Date: <b>4/26/07</b>
--	-------------------------

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH APPLICABLE DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED

ENTITY VENDOR  
FAP Sheriff of Columbia County [SCOLU]

CHECK DATE CHECK NO.  
06/28/2007 608664

DOC NO	APPLY TO	DATE	VENDOR CREDIT NO	VENDOR INVOICE NO	DOC AMOUNT	DISCOUNT	PAYMENT AMOUNT
608664	000758493	06/28/2007		143046	1,719.73	0.00	1,719.73
NMF (143046) 0619925910 CRUZ, JOSE							
2006-CV-1547							
							1,719.73

PHELAN HALLINAN & SCHMIEG LLP  
ATTORNEY ESCROW ACCOUNT  
ONE PENN CENTER, SUITE 1400  
PHILADELPHIA, PA 19103-1814

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

PHELAN HALLINAN & SCHMIEG LLP  
ATTORNEY ESCROW ACCOUNT  
ONE PENN CENTER, SUITE 1400  
PHILADELPHIA, PA 19103-1814

COMMERCE BANK  
PHILADELPHIA, PA 19148

3-180/360

CHECK NO  
608664

DATE	AMOUNT
06/28/2007	*****1,719.73

Void after 180 days

Pay ONE THOUSAND SEVEN HUNDRED NINETEEN AND 73/100 DOLLARS

To The Sheriff of Columbia County  
Order 35 W Main Street  
Of Bloomsburg, PA 17815

Francis S. Hallinan

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

608664 1036001808136 150866 60

■ 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)

PS Form 3811, February 2004

Domestic Return Receipt

7005 1160 0000 3415 1640

102595-02-M-154

A. Addressee  
B. Received by (Printed Name)  
C. Date of Delivery  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail  
☐ 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:

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

2. Article Number  
(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

7005 1160 0000 3415 1633

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

2. Article Number  
(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

7005 1160 0000 3415 1664

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:

Jose Cruz  
78 Roslyn Road  
Mineola, NY 11051

2. Article Number  
(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

7005 1160 0000 3415 1725

102595-02-M-154

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:

Jose Cruz  
78 Roslyn Road  
Mineola, NY 11051

2. Article Number  
(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

7005 1160 0000 3415 1725

102595-02-M-154

# 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)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-154

7005 1160 0000 3415 1626

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

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

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

B. Received by (Printed Name)

DEC 28 2004

A. Signature

Samuel J. Venturoli

# 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)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-154

7005 1160 0000 3415 1657

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

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

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

B. Received by (Printed Name)

DEC 28 2004

A. Signature

Robert A. Collier

# COMPLETE THIS SECTION ON DELIVERY

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

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

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

Domestic Return Receipt

102595-02-M-154

PHELAN HALLINAN & SCHMIEG, LLP  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103-1814  
Automated Attendant # 215-320-0007 ext 1478  
Operated Assisted # 215-563-7000 ext 1478  
Fax # 215-563-8656  
Lisa.Steinman@fedphe.com

March 22, 2007

Office of the Sheriff  
COLUMBIA County Courthouse

RE: WASHINGTON MUTUAL BANK, F.A.  
V. JOSE A. CRUZ A/K/A JOSE C. CHAVEZ  
COLUMBIA COUNTY, NO. 2006-1547

RE: AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129  
Dear Sir or Madam:

Enclosed please find the following:

XX Affidavit of service pursuant to rule 3129 with attachments.

Please find attached a copy of the original Affidavit of service pursuant to rule 3129, which has been sent for filing with the COLUMBIA County Prothonotary's Office as of the date of this letter.

**\*\*\*\*\*IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.\*\*\*\*\***

Yours truly,



LISA STEINMAN  
For PHELAN HALLINAN & SCHMIEG, LLP

**\*\*\*PROPERTY IS LISTED FOR THE 4/25/07 SHERIFF'S SALE.\*\*\***



**IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA**

RE: WASHINGTON MUTUAL BANK, F.A.

) CIVIL ACTION

vs.

JOSE A. CRUZ A/K/A  
JOSE C. CHAVEZ

) CIVIL DIVISION  
) NO. 2006-1547

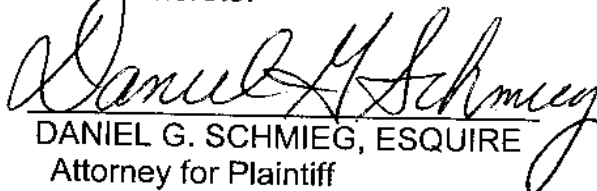
**AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129**

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF COLUMBIA )

**SS:**

I, DANIEL G. SCHMIEG, ESQUIRE attorney for **WASHINGTON MUTUAL BANK, F.A.** hereby verify that true and correct copies of the Notice of Sheriff's sale were served by certificate of mailing to the recorded lienholders, and any known interested party see Exhibit "A" attached hereto.

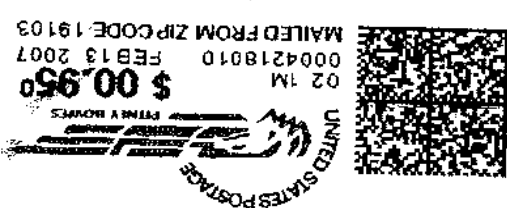
DATE: March 22, 2007

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Name and  
Address  
of Sender

PHILAN HALLINAN & SCHMIEG LLC  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103-1814

*Supra*

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee	
1	****	TENANT/OCCUPANT 1008-1010 MARKET STREET BERWICK, PA 18603	 <p>UNITED STATES POSTAGE \$00.95 02 1M 0004218010 FEB 13 2007 MAILED FROM ZIP CODE 19103</p>		
2	****	DOMESTIC RELATIONS OF COLUMBIA COUNTY COLUMBIA COUNTY COURTHOUSE P.O. BOX 380 BLOOMSBURG, PA 17815			
3		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE P.O. BOX 2675 HARRISBURG, PA 17105			
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15		RE:JOSE A CRUZ A/K/A JOSE C. CHAVEZ      PHS #143046.      TEAM 3/SSG			
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)		





April 13, 2007

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

**WASHINGTON MUTUAL BANK, F.A.**

**VS.**

**JOSE A. CRUZ  
AKA JOSE C. CHAVEZ**

**DOCKET # 202ED2006**

**JD # 1547JD2006**

Dear Timothy:

Since the sale did not go through as originally scheduled on February 28, 2007 and has been rescheduled for April 25, 2007, the balance due on sewer account #104063 for the property located at 1008 1010 Market Street Berwick, Pa through the second quarter billing is now \$818.13.

Please feel free to contact me with any questions that you may have.

Sincerely,

Kristy Romig  
Authority Clerk

*Hearing Impaired 711*

*"BAJSA is an Equal Opportunity Provider and Provider"*

1108 Freas Avenue • Berwick, Pennsylvania 18603

Phone: (570) 752-8477 • Fax: (570) 752-8479

**Phelan Hallinan & Schmieg, LLP**

1617 JFK Boulevard, Suite 1400

Philadelphia, PA 19103-1814

215-320-0007

Fax: 215-563-7009

[Kevin.Olinger@fedphe.com](mailto:Kevin.Olinger@fedphe.com)

Kevin Olinger  
Legal Assistant, Ext. 1365

Representing Lenders in  
Pennsylvania and New Jersey

March 20, 2007

Office of the Sheriff  
Columbia County Courthouse  
35 W. Main Street  
Bloomsburg, PA 17815

**WASHINGTON MUTUAL BANK, F.A.**

**vs.**

**JOSE A CRUZ A/K/A JOSE C. CHAVEZ**

**COLUMBIA- No. 2006 CV 1547 MF**

**Action in Mortgage Foreclosure**

**Premises: 1008-1010 MARKET STREET**

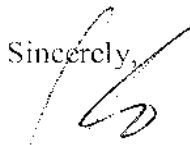
**BERWICK, PA 18603**

Dear Sir/Madame:

Enclosed are Affidavits of Service for the above captioned matter for filing with your office. We have forwarded copies of the same to the Prothonotary.

If you have any questions regarding this matter, please do not hesitate to contact this office. Thank you for your cooperation.

Sincerely,



Kevin Olinger  
Enclosure

**AFFIDAVIT OF SERVICE**

**Plaintiff: WASHINGTON MUTUAL BANK, F.A.**

**Defendant(s): JOSE A CRUZ  
A/K/A JOSE C. CHAVEZ**

**Serve: JOSE A CRUZ  
A/K/A JOSE C. CHAVEZ  
Address: 78 ROSELINE ROAD  
MINEOLA, NY 11501**

**LAS  
COLUMBIA County  
No 2006 CV 1547 MF**

**Our File#143046  
Type of Action  
- Notice of Sheriff's Sale**

**Sale Date: 02/28/07**

**\*\*PLEASE ATTEMPT SERVICE AT LEAST 3 TIMES\*\***

**SERVED**

Served and made known to JOSE A CRUZ, Defendant, on the 22 day of FEBRUARY, 2007 at 7:11 o'clock P.m., at 78 ROSELINE RD, Commonwealth of NEW YORK, in the manner described below:

- ☒ Defendant personally served.  
☐ Adult family member with whom Defendant(s) reside(s). Relationship is \_\_\_\_\_  
☐ Adult in charge of Defendant(s)'s residence who refused to give name or relationship.  
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).  
☐ Agent or person in charge of Defendant(s)'s office or usual place of business.  
☐ \_\_\_\_\_ an officer of said Defendant(s)'s company.  
☐ Other: \_\_\_\_\_

Description: Age 45 Height 5'7" Weight 165 Race Hisp Sex M Other \_\_\_\_\_

I, Theodore J Harris, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this 22<sup>nd</sup> day  
of February, 2007  
Notary: \_\_\_\_\_ By: \_\_\_\_\_

**NOT SERVED**

On the State of New Jersey, 2007, at \_\_\_\_\_ o'clock \_\_\_\_\_m., Defendant NOT FOUND because:  
PATRICIA E. HARRIS  
Commission Expires June 18, 2008  
☐ Moved ☐ Unknown ☐ No Answer ☐ Vacant

Other: 1<sup>ST</sup> ATTEMPT 2<sup>ND</sup> ATTEMPT 3<sup>RD</sup> ATTEMPT

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2007.  
Notary: \_\_\_\_\_ By: \_\_\_\_\_

**Attorney for Plaintiff**  
**Daniel G. Schmieg, Esquire - I.D. No. 62205**  
**One Penn Center at Suburban Station-Suite 1400**  
**Philadelphia, PA 19103**  
**(215) 563-7000**

**Phelan Hallinan and Schmieg, L.L.P.  
One Penn Center at Suburban Station  
1617 John F. Kennedy  
Suite 1400  
Philadelphia, PA 19103-1814  
215-563-7000  
Main Fax 215-563-5534**

**Peter J. Tremper  
Legal Assistant, Ext. 1481**

**Representing Lenders in  
Pennsylvania and New Jersey**

**February 26, 2007**

**Via Telefax 570-389-5625**

**Memorandum**

**To: Office of the Sheriff  
COLUMBIA County**

**Attn: Real Estate Dept.**

**WASHINGTON MUTUAL BANK, F.A.  
vs.  
JOSE A CRUZ A/K/A JOSE C. CHAVEZ  
COLUMBIA- No. 2006 CV 1547 MF**

**Premises: 1008-1010 MARKET STREET  
BERWICK, PA 18603**

**Dear Sir or Madam:**

**Please POSTPONE the Sheriff's Sale of the above referenced property which is scheduled for February 28, 2007. Please reschedule this sale for April 25, 2006 at 10:00 am.**

**Should you have any questions or concerns do not hesitate to contact me.**

**Very truly yours,**

**Peter J. Tremper**

STATE OF PENNSYLVANIA  
COUNTY OF COLUMBIA } SS

Paula J. Barry being duly sworn according to law deposes and says that Press Enterprise is a newspaper of general circulation with its principal office and place of business at 3185 Lackawanna Avenue, Bloomsburg, County of Columbia and State of Pennsylvania, and was established on the 1st day of March, 1902, and has been published daily, continuously in said Town, County and State since that day and on the attached notice February 7, 14, 21, 2007 as printed and published; that the affiant is one of the officers or publisher or designated agent of the owner or publisher of said newspaper in which legal advertisement was published; that neither the affiant nor Press Enterprise is interested in the subject matter of said notice and advertisement and that all of the allegations in the foregoing statement as to time, place, and character of publication are true.

[Signature]

Sworn and subscribed to before me this 22<sup>ND</sup> day of Febr 2007

[Signature]

(Notary Public)

Commonwealth of Pennsylvania

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

Member, Pennsylvania Association Of Notaries

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

.....

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.

WASHINGTON MUTUAL BANK

VS.

JOSE CRUZ AKA JOSE CHAVEZ

WRIT OF EXECUTION #202 OF 2006 ED

POSTING OF PROPERTY

January 23, 2007 POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE  
PROPERTY OF JOSE CRUZ AKA JOSE CHAVEZ AT 1008-1010 MARKET ST. BERWICK  
COLUMBIA COUNTY PENNSYLVANIA. SAID POSTING PERFORMED BY COLUMBIA COUNTY  
DEPUTY SHERIFF PAUL D'ANGELO.

SO ANSWERS:

DEPUTY SHERIFF

TIMOTHY T. CHAMBERLAIN  
SHERIFF

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 23<sup>RD</sup> DAY OF JANUARY 2007

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

WASHINGTON MUTUAL BANK, F.A.

202ED2006

VS

JOSE A. CRUZ  
AKA JOSE C. CHAVEZ

SHERIFF'S COST 309 PAID

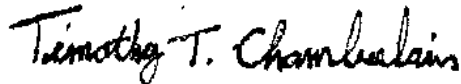
AFFIDAVIT OF SERVICE

NOW, THIS MONDAY, JANUARY 22, 2007, THE WITHIN MORTGAGE FORECLOSURE WAS SERVED BY CERTIFIED MAILING TO JOSE CRUZ AKA JOSE CHAVEZ AT 78 ROSLYN ROAD, MINBOLA, NY 11051 WITH HECTOR CRUZ SIGNING FOR A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT AND MADE KNOWN TO THEM THE CONTENTS THEREOF.

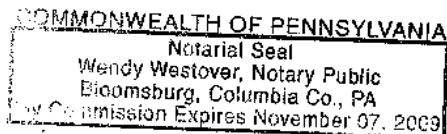
SO ANSWERS,

SWORN AND SUBSCRIBED BEFORE ME  
THIS MONDAY, JANUARY 22, 2007

  
NOTARY PUBLIC



X  
TIMOTHY T. CHAMBERLAIN  
SHERIFF





January 3, 2007

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

**WASHINGTON MUTUAL BANK, F.A.**

**VS.**

**JOSE A. CRUZ  
AKA JOSE C. CHAVEZ**

**DOCKET # 202ED2006**

**JD # 1547JD2006**

Dear Timothy:

The balance due on sewer account #104063 for the property located at 1008-1010  
Market Street Berwick, Pa through March is \$625.41

Please feel free to contact me with any questions that you may have.

Sincerely,

Kelly Greer  
Authority Clerk

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 12/26/2006

SERVICE# 2 - OF - 12 SERVICES  
DOCKET # 202ED2006

PLAINTIFF WASHINGTON MUTUAL BANK, F.A.

DEFENDANT JOSE A. CRUZ  
AKA JOSE C. CHAVEZ

ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

PERSON/CORP TO SERVED	PAPERS TO SERVED
TENANT(S)	MORTGAGE FORECLOSURE
1008-1010 MARKET STREET	
BERWICK	

SERVED UPON EDWIN MORALES

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

DATE 1229.06 TIME 1015 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

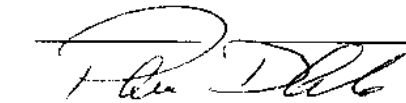
TIME

OFFICER

REMARKS

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DEPUTY



DATE 12-29-06

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 12/26/2006

SERVICE# 1 - OF - 12 SERVICES  
DOCKET # 202ED2006

PLAINTIFF WASHINGTON MUTUAL BANK, F.A.

DEFENDANT JOSE A. CRUZ  
AKA JOSE C. CHAVEZ

ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

PERSON/CORP TO SERVED

JOSE CRUZ AKA JOSE CHAVEZ

1008-1010 MARKET STREET

BERWICK

PAPERS TO SERVED

MORTGAGE FORECLOSURE

SERVED UPON

RELATIONSHIP

IDENTIFICATION

DATE

TIME

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)

LIVES AT 78 ROSYLV RD.  
MINEOLA, N.Y. 11501 (NASSAU CO.)

ATTEMPTS

DATE

TIME

OFFICER

REMARKS

DEPUTY

DATE

12-28-06

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 12/26/2006

SERVICE# 5 - OF - 12 SERVICES  
DOCKET # 202ED2006

PLAINTIFF WASHINGTON MUTUAL BANK, F.A.

DEFENDANT JOSE A. CRUZ  
AKA JOSE C. CHAVEZ

ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

PERSON/CORP TO SERVED	PAPERS TO SERVED
BERWICK SEWER	MORTGAGE FORECLOSURE
1108 FREAS AVE.	
BERWICK	

SERVED UPON KELLY GREEN

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

DATE 12-28-06 TIME 0930 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 *Paul DA* DATE 12-28-06

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 12/26/2006

SERVICE# 4 - OF - 12 SERVICES  
DOCKET # 202ED2006

PLAINTIFF WASHINGTON MUTUAL BANK, F.A.

DEFENDANT JOSE A. CRUZ  
AKA JOSE C. CHAVEZ

ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

<b>PERSON/CORP TO SERVED</b>
CONNIE GINGHER-TAX COLLECTOR
1615 LINCOLN AVE.
BERWICK

**PAPERS TO SERVED**  
MORTGAGE FORECLOSURE

SERVED UPON MAGGIE ERITZ

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

DATE 12-28-06 TIME 0955 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) \_\_\_\_\_

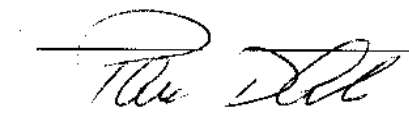
ATTEMPTS  
DATE

TIME

OFFICER

REMARKS


DEPUTY



DATE 12-28-06

**Tax Notice** 2006 County & Municipality

**MAKE CHECKS PAYABLE TO:**

Connie C Gingher  
1615 Lincoln Avenue  
Berwick PA 18603

**HOURS:** MON, TUE, THUR & FRI : 9:30AM - 4PM  
CLOSED WEDNESDAY & HOLIDAYS  
CLOSED FRIDAY AFTER DISCOUNT

**PHONE:** 570-752-7442

**TAXES ARE DUE & PAYABLE - PROMPT PAYMENT IS REQUESTED**

CRUZ JOSE A & EMMA C  
1010 MARKET STREET  
BERWICK PA 18603

If you desire a receipt, send a self-addressed stamped envelope with your payment  
**THIS TAX NOTICE MUST BE RETURNED WITH YOUR PAYMENT**

FOR: COLUMBIA COUNTY		DATE 03/01/2006		BILL NO. 3087	
DESCRIPTION	ASSESSMENT	MILLS	LESS DISCOUNT	AX AMOUNT DUE	INCL. PENALTY
GENERAL SINKING LIGHT FIRE BORO RE	26,056	5.846 1.345 .75 1.25 8.6	144.17 34.35 19.15 31.92 219.60	147.11 35.05 19.54 32.57 224.08	161.82 38.56 20.52 34.20 235.28
The discount & penalty have been calculated for your convenience		PAY THIS AMOUNT		449.19 April 30 If paid on or before	490.38 June 30 If paid after
REQUESTED		CNTY TWP		This tax returned to courthouse on: January 1, 2007	
Discount 2 %		2 %		FILE COPY <i>W. L. hmt</i>	
Penalty 10 %		5 %			
PARCEL: 04A-03 -021-00,000		<i>w 33 pr</i>			
1008 1010 MARKET ST					
2445 Acres		Land		4,260	
		Buildings		21,796	
Total Assessment				26,056	
Type with your payment OR PAYMENT					

**TAX NOTICE** 2006 SCHOOL REAL ESTATE  
BERWICK BOROUGH  
**MAKE CHECKS PAYABLE TO:**  
CONNIE C. GINGHER  
1615 LINCOLN AVENUE  
BERWICK, PA 18603

**HOURS** Mon, Tue, Thur, Fri 9:30am-4:00pm  
Closed Wed & Holidays  
Closed Friday after discount  
**PHONE** 570-752-7442

FOR BERWICK AREA SCHOOL DISTRICT		DATE 07/01/2006		BILL# 000834	
DESCRIPTION	ASSESSMENT	RATE	LESS DISC	AMOUNT DUE	INC. PENALTY
REAL ESTATE	26056	47.100	1202.70	1227.24	1349.96
The 2% discount and 10% penalty have been computed for your convenience. Taxes are due now and payable. Prompt payment is requested. This tax notice must be returned with your payment. For a receipt, enclose a SASE.		PAY THIS AMOUNT		1202.70 Aug 31 IF PAID ON OR BEFORE	1227.24 Oct 31 IF PAID ON OR BEFORE
				1349.96 Nov 1 IF PAID AFTER	

NO REFUNDS UNDER \$5.00

PROPERTY DESCRIPTION		ACCT.	4067
PARCEL 04A03 02100000			
10081010 MARKET ST	4260.00		
0592-0651	21796.00		
0.25 ACRES			

Original

MAKE SEPARATE CHECKS FOR SCHOOL PAYMENT

2/21/06

M  
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T  
O

CRUZ JOSE A & EMMA C  
1010 MARKET STREET  
BERWICK PA 18603

COUNTY OF COLUMBIA  
REAL ESTATE TAX CERTIFICATION

Date: 12/28/2006

Fee: \$5.00

Cert. NO: 2853

CRUZ JOSE A & EMMA C  
1010 MARKET STREET  
BERWICK PA 18603

District: BERWICK BORO  
Deed: 0354 -0442  
Location: 1008-1010 MARKET LOT  
Parcel Id: 04A-03 -021-00,000

Assessment: 26,056  
Balances as of 12/28/2006

YEAR	TAX TYPE	TAX AMOUNT	PENALTY	DISCOUNT	PAID	BALANCE
	NO TAX CLAIM TAXES DUE					

By: Columbia County Sheriff Per: (RW)

\* Does NOT include 2006 TAXES



# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 12/26/2006

SERVICE# 6 - OF - 12 SERVICES  
DOCKET # 202ED2006

PLAINTIFF WASHINGTON MUTUAL BANK, F.A.

DEFENDANT JOSE A. CRUZ  
AKA JOSE C. CHAVEZ

ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

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

SERVED UPON Jose A. Cruz - Cust. Svs

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

DATE 12-28 TIME 1020 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 12-28-06

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 12/26/2006

SERVICE# 9 - OF - 12 SERVICES  
DOCKET # 202ED2006

PLAINTIFF WASHINGTON MUTUAL BANK, F.A.

DEFENDANT JOSE A. CRUZ  
AKA JOSE C. CHAVEZ

ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

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

SERVED UPON Annette B. Hoffman

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

DATE 12-28 TIME 0930 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 12-28-06

# REAL ESTATE OUTLINE

ED # 283-46

DATE RECEIVED 12-25-86  
DOCKET AND INDEX 12-25-86

## CHECK FOR PROPER INFO.

WRIT OF EXECUTION ✓  
COPY OF DESCRIPTION ✓  
WHEREABOUTS OF LKA ✓  
NON-MILITARY AFFIDAVIT ✓  
NOTICES OF SHERIFF SALE ✓  
WATCHMAN RELEASE FORM ✓  
AFFIDAVIT OF LIENS LIST ✓  
CHECK FOR \$1,350.00 OR ✓ CK# 560-245  
**\*\*IF ANY OF ABOVE IS MISSING DO NOT PROCEED\*\***

SALE DATE Feb. 16, 1987 TIME 10:00  
POSTING DATE Feb. 16, 1987  
ADV. DATES FOR NEWSPAPER  
1<sup>ST</sup> WEEK Feb. 17  
2<sup>ND</sup> WEEK Feb. 24  
3<sup>RD</sup> WEEK Feb. 31

# SHERIFF'S SALE

WEDNESDAY FEBRUARY 28, 2007 AT 10:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 202 OF 2006 ED AND CIVIL WRIT NO. 1547 OF 2006 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

All those two certain lots, pieces or parcels of land situate in the Borough of Berwick, County of Columbia and State of Pennsylvania, bounded and described as follows, to-wit:

PARCEL NO. 1: BEGINNING at a point on Market Street at the corner of Lot No. 45, thence along Market Street in a northerly direction 47 feet to the corner of Lot No. 47; thence along the same in an easterly direction 150 feet to the corner on an alley; thence along the same in a southerly direction 47 feet to the corner of Lot No. 45; thence along the same in a westerly direction 150 feet to the place of Beginning.

BEING Lot No. 46 in Jackson and Crispin Addition to Berwick, Pennsylvania.

PARCEL NO. 2: BEGINNING on the easterly side of Market Street at a point 166 feet southerly from Eleventh Street, at the center line of Lot No. 47; thence along said center line of Lot No. 47 parallel to Eleventh Street, 150 feet to an alley; thence along the same toward Tenth Street, 23 1/2 feet to Lot No. 46; thence along the same toward Market Street 150 feet to Market Street; thence along Market Street 23 1/2 feet to the place of Beginning.

BEING the southerly half of Lot No. 47 in the Jackson and Crispin Addition to the Borough of Berwick, between Market and Pine Streets.

BEING the same premises conveyed by James T. Stubbs and Theresa L. Stubbs, his wife to Bryan P. Carlin and Roberta A. Carlin, his wife, by deed dated September 13, 1985 and recorded in the Office for the Recorder of Deeds in and for Columbia County on September 16, 1985 in Deed Book 354, Page 442.

TITLE TO SAID PREMISES IS VESTED IN Jose A. Cruz and Emma C. Cruz, his wife, by Deed from Bryan P. Carlin and Roberta A. Carlin, his wife, dated 03/10/1995, recorded 03/24/1995, in Deed Book 592, page 651.

Premises being: 1008-1010 MARKET STREET, BERWICK, PA 18603

Tax Parcel #04A-03-021-00,000

## 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  
Daniel G. Schmieg  
1617 John F. Kennedy Blvd  
Philadelphia, PA 19103

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

# SHERIFF'S SALE

WEDNESDAY FEBRUARY 28, 2007 AT 10:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 202 OF 2006 ED AND CIVIL WRIT NO. 1547 OF 2006 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

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BEING Lot No. 46 in Jackson and Crispin Addition to Berwick, Pennsylvania.

PARCEL NO. 2: BEGINNING on the easterly side of Market Street at a point 166 feet southerly from Eleventh Street, at the center line of Lot No. 47; thence along said center line of Lot No. 47 parallel to Eleventh Street, 150 feet to an alley; thence along the same toward Tenth Street, 23 1/2 feet to Lot No. 46; thence along the same toward Market Street 150 feet to Market Street; thence along Market Street 23 1/2 feet to the place of Beginning.

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Premises being: 1008-1010 MARKET STREET, BERWICK, PA 18603

Tax Parcel #04A-03-021-00,000

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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  
Daniel G. Schmieg  
1617 John F. Kennedy Blvd  
Philadelphia, PA 19103

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

# SHERIFF'S SALE

WEDNESDAY FEBRUARY 28, 2007 AT 10:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 202 OF 2006 ED AND CIVIL WRIT NO. 1547 OF 2006 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

All those two certain lots, pieces or parcels of land situate in the Borough of Berwick, County of Columbia and State of Pennsylvania, bounded and described as follows, to-wit:

PARCEL NO. 1: BEGINNING at a point on Market Street at the corner of Lot No. 45, thence along Market Street in a northerly direction 47 feet to the corner of Lot No. 47; thence along the same in an easterly direction 150 feet to the corner on an alley; thence along the same in a southerly direction 47 feet to the corner of Lot No. 45; thence along the same in a westerly direction 150 feet to the place of Beginning.

BEING Lot No. 46 in Jackson and Crispin Addition to Berwick, Pennsylvania.

PARCEL NO. 2: BEGINNING on the easterly side of Market Street at a point 166 feet southerly from Eleventh Street, at the center line of Lot No. 47; thence along said center line of Lot No. 47 parallel to Eleventh Street, 150 feet to an alley; thence along the same toward Tenth Street, 23 1/2 feet to Lot No. 46; thence along the same toward Market Street 150 feet to Market Street; thence along Market Street 23 1/2 feet to the place of Beginning.

BEING the southerly half of Lot No. 47 in the Jackson and Crispin Addition to the Borough of Berwick, between Market and Pine Streets.

BEING the same premises conveyed by James T. Stubbs and Theresa L. Stubbs, his wife to Bryan P. Carlin and Roberta A. Carlin, his wife, by deed dated September 13, 1985 and recorded in the Office for the Recorder of Deeds in and for Columbia County on September 16, 1985 in Deed Book 354, Page 442.

TITLE TO SAID PREMISES IS VESTED IN Jose A. Cruz and Emma C. Cruz, his wife, by Deed from Bryan P. Carlin and Roberta A. Carlin, his wife, dated 03/10/1995, recorded 03/24/1995, in Deed Book 592, page 651.

Premises being: 1008-1010 MARKET STREET, BERWICK, PA 18603

Tax Parcel #04A-03-021-00,000

## 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  
Daniel G. Schmieg  
1617 John F. Kennedy Blvd  
Philadelphia, PA 19103

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

WASHINGTON MUTUAL BANK,  
F.A.

vs.

JOSE A CRUZ  
A/K/A JOSE C. CHAVEZ

IN THE COURT OF COMMON PLEAS OF  
COLUMBIA COUNTY, PENNSYLVANIA

No. 2006 CV 1547 MF Term 2005

WRIT OF EXECUTION  
(Mortgage Foreclosure)

2006-ED-202

Commonwealth of Pennsylvania:

County of

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 property  
(specifically described property below):

PREMISES: 1008-1010 MARKET STREET, BERWICK, PA 18603  
(See Legal Description attached)

Amount Due  
Additional Fees and Costs  
Interest from 12/12/06 to Sale  
at \$10.86per diem

\$66,068.63  
\$1,517.50  
\$.....and costs.

Dated 12-26-2006  
(SEAL)

Fanni B. Kline/ESB  
(Clerk) Office of the Prothy Support, Common Pleas Court  
of Columbia County, Penna.

**Proth. & Clk. Of Sev. Courts**  
**My Com. Ex. 1st Mon. Jan 2008**

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Premises being: 1008-1010 MARKET STREET, BERWICK, PA 18603  
Tax Parcel #04A-03-021-00,000



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

WASHINGTON MUTUAL BANK,  
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JOSE A CRUZ  
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Dated

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(SEAL)

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Premises being: 1008-1010 MARKET STREET, BERWICK, PA 18603  
Tax Parcel #04A-03-021-00,000



**PHELAN HALLINAN & SCHMIEG, LLP**

By: DANIEL G. SCHMIEG  
Identification No. 62205  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
Attorney for Plaintiff  
(215)563-7000

**Attorney for Plaintiff**

**WASHINGTON MUTUAL BANK, F.A.  
11200 WEST PARKLAND AVE.  
MILWAUKEE, WI 53224**

**Plaintiff,**

**v.**

**JOSE A CRUZ  
A/K/A JOSE C. CHAVEZ  
1008-1010 MARKET STREET  
BERWICK, PA 18603**

**Defendant(s).**


**:  
:  
: COLUMBIA COUNTY  
: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 2006 CV 1547 MF  
:  
:  
:  
:  
:**

**CERTIFICATION**

DANIEL G. SCHMIEG, ESQUIRE hereby verifies that he is the attorney for the Plaintiff in the captioned matter and that the premises is not subject to the provisions of Act 91 because it is:

- ☐ an FHA Mortgage
- ☐ non-owner occupied
- ☐ vacant
- ☒ Act 91 procedures have been fulfilled

This Certification is made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn statements to authorities.

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

**PHELAN HALLINAN & SCHMIEG, LLP**

By: DANIEL G. SCHMIEG

Identification No. 62205

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Suite 1400

Philadelphia, PA 19103-1814

Attorney for Plaintiff

(215)563-7000

**Attorney for Plaintiff**

**WASHINGTON MUTUAL BANK, F.A.**

**11200 WEST PARKLAND AVE.**

**MILWAUKEE, WI 53224**

**Plaintiff,**

**v.**

**JOSE A CRUZ**

**A/K/A JOSE C. CHAVEZ**

**1008-1010 MARKET STREET**

**BERWICK, PA 18603**

**Defendant(s).**

**:**  
**:** **COLUMBIA COUNTY**  
**:** **COURT OF COMMON PLEAS**  
**:**  
**:** **CIVIL DIVISION**  
**:**  
**:** **NO. 2006 CV 1547 MF**  
**:**  
**:**  
**:**  
**:**  
**:**

**AFFIDAVIT PURSUANT TO RULE 3129**

**(Affidavit No.1)**

**WASHINGTON MUTUAL BANK, F.A.**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, 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 **1008-1010 MARKET STREET, BERWICK, PA 18603**.

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

NAME

LAST KNOWN ADDRESS (If address cannot be  
reasonably ascertained, please so indicate.)

**JOSE A CRUZ A/K/A  
JOSE C. CHAVEZ**

**1008-1010 MARKET STREET  
BERWICK, PA 18603**

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

NAME


LAST KNOWN ADDRESS (If address cannot be  
reasonably ascertained, please so indicate.)

**SAME AS ABOVE**

3. Name and address of every judgment creditor whose judgment is a record lien on the real property to be sold:
- | NAME | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
|------|---|
| NONE |   |
4. Name and address of the last recorded holder of every mortgage of record:
- | NAME | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
|------|---|
| NONE |   |
5. Name and address of every other person who has any record lien on the property:
- | NAME | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
|------|---|
| NONE |   |
6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:
- | NAME | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
|------|---|
| NONE |   |
7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale:
- | NAME  | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
|---|---|
| TENANT/OCCUPANT                                       | 1008-1010 MARKET STREET<br>BERWICK, PA 18603  |
| DOMESTIC RELATIONS OF<br>COLUMBIA COUNTY              | COLUMBIA COUNTY COURTHOUSE<br>P.O. BOX 380<br>BLOOMSBURG, PA 17815                    |
| COMMONWEALTH OF PENNSYLVANIA<br>DEPARTMENT OF WELFARE | P.O. BOX 2675<br>HARRISBURG, PA 17105   |

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

December 20, 2006  
Date

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

**SAME AS ABOVE**

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- NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
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- NONE
5. Name and address of every other person who has any record lien on the property:
- NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
- NONE
6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:
- NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
- NONE
7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

TENANT/OCCUPANT

1008-1010 MARKET STREET  
BERWICK, PA 18603

DOMESTIC RELATIONS OF  
COLUMBIA COUNTY

COLUMBIA COUNTY COURTHOUSE  
P.O. BOX 380  
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December 20, 2006  
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Attorney for Plaintiff



**PHELAN HALLINAN & SCHI EG, LLP**

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## One Penn Center at Suburban Station

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**Plaintiff,**

**V.**

**JOSE A CRUZ**

**A/K/A JOSE C. CHAVEZ**

**1008-1010 MARKET STREET**

BERWICK, PA 18603

**Defendant(s).**

## NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

**TO: JOSE A CRUZ**

**A/K/A JOSE C. CHAVEZ**

**1008-1010 MARKET STREET**

BERWICK, PA 18603

**Please be advised that this firm is a debt collector attempting to collect a debt. Any information received will be used for that purpose. If you have previously received a discharge in bankruptcy and this debt was not reaffirmed, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property..**

Your house (real estate) at **1008-1010 MARKET STREET, BERWICK, PA 18603** is scheduled to be sold at Sheriff's Sale on \_\_\_\_\_, at \_\_\_\_\_ a.m., in the Office of the Sheriff at the Columbia County Courthouse, Bloomsburg, PA 17815, to enforce the Court Judgment of **\$66,068.63** obtained by **WASHINGTON MUTUAL BANK, F.A.**, (the Mortgagee) against you. In the event the sale is continued, an announcement will be made at said sale in compliance with Pa.R.C.P., Rule 3129.3.

## 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 the Mortgagee, WASHINGTON MUTUAL BANK, F.A. , the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call (215) 563-7000.
2. You may be able to stop the Sale by filing a petition asking the Court to strike or open the 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 better chance you will have of stopping the Sale. (See the 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 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 by calling (215) 563-7000.
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 is required, you may call (215) 563-7000.
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 notice to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You are entitled to a share of the money which was paid for your real estate. A Schedule of Distribution of the money bid for real estate will be filed by the Sheriff on \_\_\_\_\_. This schedule will state who is to receive that money. The money will be paid out in accordance with this schedule unless exceptions (if any) to the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the Schedule of Distribution is filed.
7. You also have other rights and defenses or ways of getting your home back if you act immediately after the

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

**COLUMBIA COUNTY  
SUSQUEHANNA LEGAL SERVICES  
168 EAST 5<sup>TH</sup> STREET  
BLOOMSBURG, PA 17815  
(570) 784-8760**

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Premises being: 1008-1010 MARKET STREET, BERWICK, PA 18603  
Tax Parcel #04A-03-021-00,000

## DESCRIPTION

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PARCEL NO. 1: BEGINNING at a point on Market Street at the corner of Lot No. 45, thence along Market Street in a northerly direction 47 feet to the corner of Lot No. 47; thence along the same in an easterly direction 150 feet to the corner on an alley; thence along the same in a southerly direction 47 feet to the corner of Lot No.45; thence along the same in a westerly direction 150 feet to the place of Beginning.

BEING Lot No. 46 in Jackson and Crispin Addition to Berwick, Pennsylvania.

PARCEL NO. 2: BEGINNING on the easterly side of Market Street at a point 166 feet southerly from Eleventh Street, at the center line of Lot No. 47; thence along said center line of Lot No. 47 parallel to Eleventh Street, 150 feet to an alley; thence along the same toward Tenth Street, 23 1/2 feet to Lot No. 46; thence along the same toward Market Street 150 feet to Market Street; thence along Market Street 23 1/2 feet to the place of Beginning.

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Premises being: 1008-1010 MARKET STREET, BERWICK, PA 18603  
Tax Parcel #04A-03-021-00,000

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.

.....(SEAL)  
(Attorney for Plaintiff(s))

WAIVER OF INSURANCE - Now, ....., 20....., the Sheriff is hereby released from all liability to protect the property described in the within named execution by insurance, which insurance is hereby waived.

.....(SEAL)  
(Attorney for Plaintiff(s))

....., 20 .....

HARRY A. ROADARMEL

Sheriff

COLUMBIA County, Pa.

Sir: — There will be placed in your hands

for service a Writ of EXECUTION (REAL ESTATE) styled as

follows: WASHINGTON MUTUAL BANK, F.A. vs JOSE A CRUZ A/K/A JOSE C. CHAVEZ and

The defendant(s) will be found at 1008-1010 MARKET STREET, BERWICK, PA 18603

*Daniel H. Schreyer* Attorney for Plaintiff

If Writ of Execution, state below where defendants will be found, what foods and chattels shall be seized and be levied upon. If real estate, attach five double spaced typed written copies of description as it shall appear on the new deed together with Street and Number of the premises. Please do not furnish us with the old deed or mortgage.

See attached legal description  
.....  
.....  
.....

**Phelan Hallinan & Schmieg, LLP**  
**One Penn Center at Suburban Station**  
**1617 John F. Kennedy Boulevard**  
**Suite 1400**  
**Philadelphia, PA 19103-1814**  
**Phone - (215) 563-7000**  
**Main Fax - (215) 563-5534**

Pete Tremper  
Ext. 1481

Representing Lenders in  
Pennsylvania and New Jersey

December 20, 2006

Office of the Prothonotary  
Columbia County Courthouse  
35 W. Main Street  
Bloomsburg, PA 17815

**WASHINGTON MUTUAL BANK, F.A.**

vs.

**JOSE A CRUZ A/K/A JOSE C. CHAVEZ**

**COLUMBIA- No. 2006 CV 1547 MF**

**Action in Mortgage Foreclosure**

**Premises: 1008-1010 MARKET STREET**  
**BERWICK, PA 18603**

RECEIVED  
DEC 22 2 11:15  
POTOMAC COUNTY

Dear Sir/Madam:

Enclosed issue a Writ of Execution on the above property and transmit the appropriate documents to the Sheriff so that this matter can be placed on the Sheriff's list for the next available Sheriff's Sale.

Also, enclosed please find a check to your order in the amount of \$23.00 and a check to the Sheriff in the amount of \$1,350.00 for payment of fees and costs. Kindly send me your receipt and a time-stamped copy of the Praeipie for Writ in the enclosed self-addressed, stamped envelope provided.

Should you have any questions, please do not hesitate to contact me. Thank you for your assistance in this matter.

Very truly yours,

By:



Pete Tremper for  
for PHELAN HALLINAN & SCHMIEG

PJT  
Enclosures

# SHERIFF'S RETURN

WASHINGTON MUTUAL BANK, F.A.

Plaintiff

vs.

JOSE A CRUZ

A/K/A JOSE C. CHAVEZ

Defendants

IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY

No. 2006 CV 1547 MF CD Term, 2000

WRIT

ISSUED

NOW, \_\_\_\_\_ 2001, I, \_\_\_\_\_ High Sheriff of Columbia County, Pennsylvania,  
do hereby deputize the Sheriff of \_\_\_\_\_ County, Pennsylvania, to execute this Writ. This deputation  
being made at the request and risk of the Plaintiff.

Defendants alleged address is \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Sheriff, Columbia County, Pennsylvania

By \_\_\_\_\_  
Deputy Sheriff

## AFFIDAVIT OF SERVICE

Now, \_\_\_\_\_ 200\_, at \_\_\_\_\_ O'Clock \_\_\_\_\_ m., served the within

\_\_\_\_\_ upon \_\_\_\_\_

\_\_\_\_\_ at \_\_\_\_\_

\_\_\_\_\_ by handing to \_\_\_\_\_

\_\_\_\_\_ a true and correct copy of the original Notice of Sale and made known to \_\_\_\_\_

the contents thereof.

Sworn and Subscribed before me

So Answers,

this \_\_\_\_\_

day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

BY: \_\_\_\_\_

Sheriff

\_\_\_\_\_  
20, \_\_\_\_\_, See return endorsed hereon by Sheriff of  
County, Pennsylvania, and made a part of this

return

So Answers,

\_\_\_\_\_  
Sheriff

\_\_\_\_\_  
Deputy Sheriff



# SHERIFF'S DEPARTMENT

## SHERIFF SERVICE PROCESS RECEIPT and AFFIDAVIT OF RETURN

**INSTRUCTIONS:** Please type or print legibly, insuring readability of all copies. Do not detach any copies.


**Expiration date**

**Plaintiff**  
WASHINGTON MUTUAL BANK, F.A.

**Court Number**  
2006 CV 1547 MF

**Defendant**  
JOSE A CRUZ A/K/A JOSE C. CHAVEZ

**Type or Writ of Complaint**  
EXECUTION/NOTICE OF SALE

**SERVE**  **AT** { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SALE.  
**JOSE A CRUZ A/K/A JOSE C. CHAVEZ**  
ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code)  
**1008-1010 MARKET STREET, BERWICK, PA 18603**

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

### SERVE DEFENDANT WITH THE NOTICE OF SALE.

NOW, \_\_\_\_\_, 200\_\_, I, Sheriff of COLUMBIA County, PA do hereby deputize the Sheriff of \_\_\_\_\_ County, to execute the within and make return thereof according to law.

\_\_\_\_\_  
Sheriff of COLUMBIA County, Penna.

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment without liability on the part of such deputy or sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

Signature of Attorney or other Originator requesting service on behalf of XX Plaintiff  
\_\_\_\_ Defendant  
ADDRESS: One Penn Center at Suburban Station, 1617 John F. Kennedy Boulevard, Suite 1400  
Philadelphia, PA 19103-1814

**Telephone Number**  
(215)563-7000

**Date**

### SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE

**PLAINTIFF**

**Court Number**

### RETURNED:

AFFIRMED and subscribed to before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 20\_\_\_\_

**SO ANSWERS**  
Signature of Dep. Sheriff

**Date**

Signature of Sheriff

**Date**

Sheriff of

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

PHELAN HALLINAN & SCHMIEG LLP  
ATTORNEY ESCROW ACCOUNT  
ONE PENN CENTER, SUITE 1400  
PHILADELPHIA, PA 19103-1814

COMMERCE BANK  
PHILADELPHIA, PA 19148

3-180/360

CHECK NO  
560615

Pay ONE THOUSAND THREE HUNDRED FIFTY AND 00/100 DOLLARS

DATE	AMOUNT
12/20/2006	*****1,350.00

Valid after 180 days

To The  
r  
Sheriff of Columbia County  
35 W Main Street  
Bloomsburg, PA 17815

*Thomas S. Hallinan*

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED INK WILL DISAPPEAR WITH HEAT

⑈560615⑈ ⑆036001808⑆36 150866 6⑈

Security Features Included.

Details on back.