

## SHERIFF'S SALE COST SHEET

Critibank NA vs. Mendicino  
 NO. 78-06 ED NO. 266-04 JD DATE/TIME OF SALE Strayal

DOCKET/RETURN	\$15.00
SERVICE PER DEF.	\$ <u>225.00</u>
LEVY (PER PARCEL	\$15.00
MAILING COSTS	\$ <u>47.50</u>
ADVERTISING SALE BILLS & COPIES	\$17.50
ADVERTISING SALE (NEWSPAPER)	\$15.00
MILEAGE	\$ <u>10.00</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>7.50</u>
NOTARY	\$ <u>10.00</u>
TOTAL *****	\$ <u>387.50</u>

WEB POSTING	\$150.00
PRESS ENTERPRISE INC.	\$ <u>141.00</u>
SOLICITOR'S SERVICES	\$75.00
TOTAL *****	\$ <u>1636.00</u>

PROTHONOTARY (NOTARY)	\$10.00
RECORDER OF DEEDS	\$
TOTAL *****	\$ <u>-0-</u>

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

MUNICIPAL FEES DUE:		
SEWER 20	\$	
WATER 20	\$	
TOTAL *****	\$ <u>-0-</u>	

SURCHARGE FEE (DSTE)	\$ <u>160.00</u>
MISC. <u>foundase 46940.58 x .02</u>	\$ <u>938.81</u>
TOTAL *****	\$ <u>938.81</u>

TOTAL COSTS (OPENING BID)

\$ 3127.31  
2000 - Dep  
 \$ 1127.31 Due

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

McCABE, WEISBERG & CONWAY, P.C.

ATTORNEYS AT LAW

FIRST UNION BUILDING

123 S. BROAD STREET SUITE 2080

PHILADELPHIA, PA 19109



WACHOVIA

3-50/310

31444

NUMBER

PAY: One Thousand One Hundred Twenty Seven \*\*\*\*\* 31/100

AMOUNT

DATE

Jul 31/2006 \$1,127.31

TO THE Sheriff of Columbia County

ORDER

OF

Balance Due Sheriff - Mendicino, Frank

ESCROW TRUST  
VOID AFTER 90 DAYS

*Terrence J. McCabe*

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

⑈031444⑈ ⑈031000503⑈ 2000012430022⑈

PO Box 380  
Bloomsburg, PA 17815

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

**COLUMBIA COUNTY  
SHERIFF'S OFFICE**

# Fax

**To:** Atty. McCabe

**From:** Sheriff Timothy T. Chamberlain

**Fax:**

**Pages:** 2

**Phone:**

**Date:**

**Re:** Mendicino

**CC:**

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

● **Comments:** I received your stay stating a settlement of \$46,940.58. A balance is due of \$1,127.31.

Attached is a cost sheet

# SHERIFF'S SALE COST SHEET

Citibank NA vs. Mandarin  
 NO. 78-06 ED NO. 268-04 JD DATE/TIME OF SALE 5:00pm

DOCKET/RETURN	\$15.00
SERVICE PER DEF.	\$ <u>225.00</u>
LEVY (PER PARCEL	\$15.00
MAILING COSTS	\$ <u>475.00</u>
ADVERTISING SALE BILLS & COPIES	\$17.50
ADVERTISING SALE (NEWSPAPER)	\$15.00
MILEAGE	\$ <u>10.00</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>7.50</u>
NOTARY	\$ <u>10.00</u>
TOTAL ***** \$ <u>387.50</u>	

WEB POSTING	\$150.00
PRESS ENTERPRISE INC.	\$ <u>1411.00</u>
SOLICITOR'S SERVICES	\$75.00
TOTAL ***** \$ <u>1636.00</u>	

PROTHONOTARY (NOTARY)	\$10.00
RECORDER OF DEEDS	\$
TOTAL ***** \$ <u>-0-</u>	

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

MUNICIPAL FEES DUE:	
SEWER 20	\$
WATER 20	\$
TOTAL ***** \$ <u>-0-</u>	

SURCHARGE FEE (DSTE)	\$ <u>160.00</u>
MISC. <u>fundage 46740.58 x .03</u>	\$ <u>938.81</u>
TOTAL ***** \$ <u>938.81</u>	

TOTAL COSTS (OPENING BID) \$ 3127.31

2000 - Dep  
 \$ 1127.31 Due

**C O V E R****FAX****S H E E T**

**To:** Sheriff of Columbia County  
**Attn:**  
**Fax #:** 570-389-5622  
**Subject:** Citibank, N.A., as Trustee vs. Frank Mendicino  
C.C.P. Columbia County, No. 2004-cv-266  
Premises: 40 Pony Trail Dr., Bloomsburg, PA 17815  
Date of Sheriff's Sale: August 23, 2006  
**Date:** July 28, 2006  
**Pages:** 2, including cover page

**COMMENTS:**

Please see the attached letter requesting that you stay the Sheriff's Sale scheduled in the above-captioned matter.

From the desk of...  
**Cherilyn Morgan**  
**Legal Assistant**  
McCabe, Weisberg & Conway  
123 S. Broad Street, Suite 2080  
Philadelphia, PA 19109

Phone (215) 790-1010  
Fax: (215) 790-1274

## LAW OFFICES

**McCABE, WEISBERG & CONWAY, P.C.**

TERRENCE J. McCABE\*\*\*  
 MARC S. WEISBERG\*\*  
 EDWARD D. CONWAY  
 MARGARET GAIRO  
 RITA C. BUSCHER\*  
 MONICA G. CHRISTIE +  
 ANDREW L. MARKOWITZ  
 FRANK DUBIN  
 BRENDA L. BROGDON\*  
 BONNIE DAHL\*  
 BETH L. THOMAS  
 SCOTT TAGGART\*  
 ANGELA M. MICHAEL  
 MATTHEW DUTRAPANI  
 CARLA FARALDO^

SUITE 2080  
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 (215) 790-1010  
 FAX (215) 790-1274

SUITE 600  
 216 HADDON AVENUE  
 WESTMONT, NJ 08108  
 (856) 858-7080  
 FAX (856) 858-7020

SUITE 205  
 53 WEST 36<sup>TH</sup> STREET  
 NEW YORK, NY 10018  
 (917) 351-1188  
 FAX (917) 351-0363

JOSEPH F. RIGA\*  
Of Counsel

\* Licensed in PA & NJ  
 \*\* Licensed in PA & NY  
 + Licensed in PA & NM  
 \*\*\* Licensed in PA, NJ & NY  
 † Licensed in NY & CT  
 ^ Licensed in NY  
 1 Multi-State Attorney for NJ  
 .. Multi-State Attorney for NY

July 28, 2006

**Via Facsimile**

Sheriff of Columbia County  
 P.O. Box 380  
 35 W. Main Street  
 Bloomsburg, PA 17815

**Re: Citibank, N.A., as Trustee vs. Frank Mendicino**  
**C.C.P. Columbia County, No. 2004-cv-266**  
**Premises: 40 Pony Trail Dr., Bloomsburg, PA 17815**  
**Date of Sheriff's Sale: August 23, 2006**

Dear Sheriff:

As you know, the above-captioned property is currently listed for the August 23, 2006 Sheriff's Sale. I am writing to you at this time to request that you stay the Sale. The borrower has reinstated the account with a payment of \$46,940.58.

In addition, please return the Writ to the Prothonotary and forward any refund due my client.

As acknowledgment of this stay, I would appreciate your signing or time-stamping a copy of this letter and faxing the same to my attention. If you have any questions, please contact me. Thank you for your cooperation.

Very truly yours,

*Terrence J. McCabe*  
 TERRENCE J. McCABE

TJM/cmo

**SHERIFF'S OFFICE-RECEIVED BY:**

SIGNATURE

DATE

# SHERIFF'S SALE COST SHEET

Citibank N.A. vs. Frank Mendicino  
 NO. 78-06 ED NO. 266-04 JD DATE/TIME OF SALE July 26 0930

DOCKET/RETURN	\$15.00
SERVICE PER DEF.	\$ <u>225.00</u>
LEVY (PER PARCEL	\$15.00
MAILING COSTS	\$ <u>47.50</u>
ADVERTISING SALE BILLS & COPIES	\$17.50
ADVERTISING SALE (NEWSPAPER)	\$15.00
MILEAGE	\$ <u>10.00</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>7.50</u>
NOTARY	\$ <u>16.00</u>
TOTAL ***** \$ <u>472.50</u>	

WEB POSTING	\$150.00
PRESS ENTERPRISE INC.	\$ <u>141.00</u>
SOLICITOR'S SERVICES	\$75.00
TOTAL ***** \$ <u>1636.00</u>	

PROTHONOTARY (NOTARY)	\$10.00
RECORDER OF DEEDS	\$ <u>1.50</u>
TOTAL ***** \$ <u>5.00</u>	

REAL ESTATE TAXES:

BORO, TWP & COUNTY 20	\$
SCHOOL DIST. 20	\$ <u>2041.94</u>
DELINQUENT 20	\$ <u>5.00</u>
TOTAL ***** \$ <u>2046.94</u>	

MUNICIPAL FEES DUE:

SEWER 20	\$
WATER 20	\$
TOTAL ***** \$ <u>0.00</u>	

SURCHARGE FEE (DSTE)	\$ <u>160.00</u>
MISC. _____	\$ _____
_____	\$ _____
TOTAL ***** \$ <u>160.00</u>	

TOTAL COSTS (OPENING BID) \$ 4366.94

**C O V E R****FAX****S H E E T**

**To:** Sheriff of Columbia County  
**Attn:**  
**Fax #:** 570-389-5622  
**Subject:** Citibank, N.A., as Trustee vs. Frank Mendicino  
C.C.P. Columbia County, No. 2004-cv-266  
Premises: 40 Pony Trail Dr., Bloomsburg, PA 17815  
Date of Sheriff's Sale: July 26, 2006  
**Date:** July 25, 2006  
**Pages:** 2, including cover page

**COMMENTS:**

Please see the attached letter requesting that you postpone the Sheriff's Sale scheduled in the above-captioned matter.

From the desk of...  
**Cherilyn Morgan**  
Legal Assistant  
*McCabe, Weisberg & Conway*  
123 S. Broad Street, Suite 2080  
Philadelphia, PA 19109

Phone (215) 790-1010  
Fax: (215) 790-1274



## LAW OFFICES

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 \*\*\* Licensed in PA, NJ & NY  
 † Licensed in NY & CT  
 † Licensed in NY  
 † Managing Attorney for NJ  
 † Managing Attorney for NY

July 25, 2006

**Via Facsimile**

Sheriff of Columbia County  
 P.O. Box 380  
 35 W. Main Street  
 Bloomsburg, PA 17815

**Re: Citibank, N.A., as Trustee vs. Frank Mendicino**  
**C.C.P. Columbia County, No. 2004-cv-266**  
**Premises: 40 Pony Trail Dr., Bloomsburg, PA 17815**  
**Date of Sheriff's Sale: July 26, 2006**

Dear Sheriff:

As you know, the above-captioned matter is currently scheduled for the July 26, 2006 Sheriff's Sale. I am requesting at this time that you postpone this matter to the August 23, 2006 Sheriff's Sale.

As acknowledgment of this postponement, I would appreciate your signing or time-stamping a copy of this letter and faxing the same to my attention. Thank you for your cooperation.

Very truly yours,

*Terrence J. McCabe*

TERRENCE J. McCABE

TJM/cmo

**SHERIFF'S OFFICE-RECEIVED BY:**

SIGNATURE

DATE

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

Citibank, N.A. vs Frank Mendicino

NO. 78-06 ED NO. 266-04 JD

DATE/TIME OF SALE: July 26 0930

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 July 5, 12, 19, 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 21<sup>st</sup> day of July 2006.

(Notary Public)  
Commonwealth of Pennsylvania  
My commission expires  
Dennis L. Ash, Notary Public  
Scott Township, 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.

76  
**DENISE D. OTTAVIANI**  
**HEMLOCK TOWNSHIP TAX COLLECTOR**  
116 FROSTY VALLEY RD  
BLOOMSBURG PA 17815  
(570) 784-9310

---

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

7/13/2006

RE: Additional Sheriff Sale Hemlock Twp. Tax Information

As per our telephone conversation, enclosed are copies of additional sheriff sale tax information for Hemlock Township school property tax.

Frank Mendicino -- Parcel # 18-07-004-06,000  
School Tax copy enclosed  
County & Township Paid on 4/25/2006 \$595.77  
(copy already sent to you)

John Sandel Jr - Parcel # 18-01A-089-00,000  
School Tax copy enclosed  
County & Township Tax Due in the amount \$145.40  
(copy already sent to you)

If you need any other information, please call.

Sincerely,



Denise Ottaviani

■ 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

2005 1160 0000 0372 7449

■ Address  
B. Received by (Printed Name) MAY 19 2006  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

■ Complete items 1, 2, 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

SENDER: COMPLETE THIS SECTION

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

SENDER: COMPLETE THIS SECTION

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

SENDER: COMPLETE THIS SECTION

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.

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-154

2005 1160 0000 0372 7432

■ 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.

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DEPARTMENT OF PUBLIC WELFARE  
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2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-154

2005 1160 0000 0372 7432

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:

Citibank, N.A.  
10890 Rancho Bernardo Road  
San Diego, CA 92127

2. Article Number

(Transfer from service label)

7005 1160 0000 0372 7395

PS Form 3811, February 2004

Domestic Return Receipt

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:

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

2. Article Number

(Transfer from service label)

7005 1160 0000 0372 7425

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-154

COMPLETE THIS SECTION ON DELIVERY

- A. Signature 78 ☐ Agent ☒ Addressee
- B. Received by (Printed Name) 78 C. Date of Delivery 78
- D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

COMPLETE THIS SECTION ON DELIVERY

- A. Signature 78 ☐ Agent ☒ Addressee
- B. Received by (Printed Name) 78 C. Date of Delivery 78
- 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

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.

CITIBANK, N.A.

VS.

FRANK MENDICINO

WRIT OF EXECUTION #78 OF 2006 ED

POSTING OF PROPERTY

JUNE 20, 2006 POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE  
PROPERTY OF FRANK MENDICINO AT 40 PONY TRAIL DRIVE BLOOMSBURG  
COLUMBIA COUNTY PENNSYLVANIA. SAID POSTING PERFORMED BY COLUMBIA COUNTY  
SHERIFF TIMOTHY T. CHAMBERLAIN.

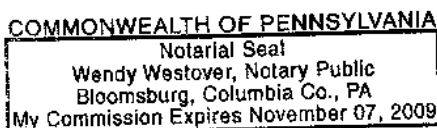
SO ANSWERS:

DEPUTY SHERIFF

TIMOTHY T. CHAMBERLAIN  
SHERIFF

SWORN TO AND SUBSCRIBED BEFORE ME

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



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

CITIBANK, N.A., AS TRUSTEE

Docket # 78ED2006

VS

MORTGAGE FORECLOSURE

FRANK MENDICINO

AFFIDAVIT OF SERVICE

NOW, THIS FRIDAY, MAY 26, 2006, AT 1:30 PM, SERVED THE WITHIN MORTGAGE FORECLOSURE UPON FRANK MENDICINO AT COLUMBIA COUNTY SHERIFF'S OFFICE, BLOOMSBURG BY HANDING TO FRANK MENDICINO 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 FRIDAY, MAY 26, 2006

NOTARY PUBLIC

X

TIMOTHY T. CHAMBERLAIN  
SHERIFF

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



TERRENCE J. McCABE\*\*\*  
 MARC S. WEISBERG\*\*  
 EDWARD D. CONWAY  
 MARGARET GAIRO  
 RITA C. BUSCHER\*\*  
 FRANK DUBIN  
 MONICA G. CHRISTIE\*\*  
 BRENDA L. BROGDON\*  
 BETH L. THOMAS  
 SEAN GARRETT\*  
 JULIE M. FIORELLO^  
 SVEN E. PFAHLERT\*  
 JOSEPH VACCARO\*  
 MICHELE DELILLE^

\* Licensed in PA & NJ  
 \*\* Licensed in PA & NY  
 \*\*\* Licensed in PA & NJ  
 ^ Licensed in PA, NJ & NY  
 1 Licensed in NY & CT  
 1 Licensed in NY  
 1 Managing Attorney for NJ  
 1 Managing Attorney for NY

SUITE 2080  
 123 SOUTH BROAD STREET  
 PHILADELPHIA, PA 19109  
 (215) 790-1010  
 FAX (215) 790-1274

SUITE 600  
 216 HADDON AVENUE  
 WESTMONT, NJ 08108  
 (856) 858-7080  
 FAX (856) 858-7020

SUITE 205  
 53 WEST 36<sup>th</sup> STREET  
 NEW YORK, NY 10018  
 (917) 351-1188  
 FAX (917) 351-0363

JOSEPH F. RIGA\*  
Of Counsel

June 1, 2006

PROTHONOTARY'S OFFICE  
 COLUMBIA COUNTY COURTHOUSE  
 MAIN STREET  
 P.O. BOX 380  
 BLOOMSBURG, PA 17815

RE: CITIBANK, N.A., AS TRUSTEE V. FRANK MENDICINO

COLUMBIA COUNTY COURT OF COMMON PLEAS NUMBER 2004-CV-266  
 ACTION IN MORTGAGE FORECLOSURE  
 PREMISES: 40 PONY TRAIN DRIVE, BLOOMSBURGH, PA 17815

Dear Sir/Madame:

Enclosed please find the original and one copy of Affidavit of Service relative to the above-captioned matter. Kindly file the original of record with the Court and return to my attention the time-stamped copy in the stamped, self-addressed envelope which is provided. Please advise promptly if there are any problems in this regard.

Thank you for your assistance in this matter.

Sincerely,



Terrence J. McCabe, Esquire  
 McCabe, Weisberg and Conway, P.C.

TJM/tt

Enclosure

cc: Office of the Sheriff/Real Estate Division

McCABE, WEISBERG AND CONWAY, P.C.

BY: TERRENCE J. McCABE, ESQUIRE

Attorney for Plaintiff

Identification Number 16496

123 South Broad Street, Suite 2080

Philadelphia, PA 19109

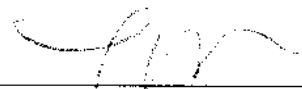
(215) 790-1010

Citibank, N.A., as Trustee V. Frank Mendicino	COLUMBIA COUNTY COURT OF COMMON PLEAS  NUMBER 2004-CV-266
---	--

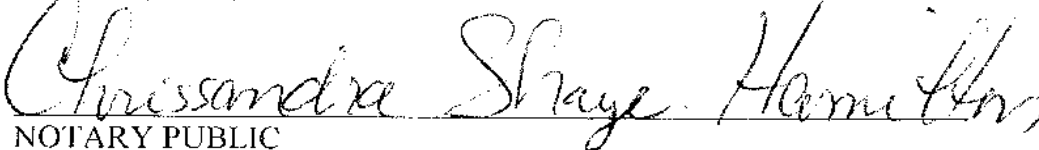
**AFFIDAVIT OF SERVICE**

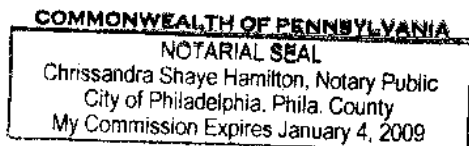
I, Terrence J. McCabe, Esquire, attorney for the Plaintiff in the within matter, hereby certify that on the 31<sup>st</sup> day of May, 2006, a true and correct copy of the Notice of Sheriff's Sale of Real Property was served on all pertinent lienholder(s) as set forth in the Affidavit Pursuant to 3129 which is attached hereto as Exhibit "A".

Copies of the letter and certificate of mailing are also attached hereto, made a part hereof and marked as Exhibit "B."

  
TERRENCE J. McCABE, ESQUIRE

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 31ST DAY  
OF MAY, 2006,

  
NOTARY PUBLIC



**McCABE, WEISBERG AND CONWAY, P.C.**

**BY: TERRENCE J. McCABE, ESQUIRE**

**Attorney for Plaintiff**

**Identification Number 16496**

**123 South Broad Street, Suite 2080**

**Philadelphia, PA 19109**

**(215) 790-1010**

Citibank, N.A., as Trustee V. Frank Mendicino	COLUMBIA COUNTY COURT OF COMMON PLEAS  NUMBER 2004-CV-266
---	--

**AFFIDAVIT PURSUANT TO RULE 3129**

I, Terrence J. McCabe, Esquire, attorney for Plaintiff in the above action, set forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at 40 Pony Train Drive, Bloomsburg, PA 17815 a copy of the description of said property is attached hereto and marked Exhibit "A."

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

Frank Mendicino  
40 Pony Train Drive  
Bloomsburg, PA 17815

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

Frank Mendicino  
40 Pony Train Drive  
Bloomsburg, PA 17815

**Exhibit "A"**

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

Evans Disposal Service  
341 Mainsville Drive  
Bloomsburg, PA 17815

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

Chase Manhattan Mtg. Corp,  
343 Thornall Street  
Edison, NJ 08837

Citibank, NA., as Trustee  
10890 Rancho Bernardo Road,  
San Diego, CA 92127

Salvatore Salamone and Vincenza Salamone,  
3 Window Lane,  
Bloomsburg, PA 17815

Denise Yannoni,  
2555 Old Berwick Road  
Bloomsburg, Pa 17815

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:

Name	Address
Commonwealth of PA Department of Revenue	Bureau of Compliance Clearance Support Department 281230 Harrisburg, PA 17128-1230 Attn: Sheriff's Sales

6. 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:

Name	Address
Tenant(s)/Occupant(s)	40 Pony Train Drive, Bloomsburgh, PA 17815

Domestic Relations	Columbia County 700 Sawmill Road Bloomsburg, PA 17815
--------------------	---

Commonwealth of Pennsylvania,	Department of Welfare, P.O. Box 2675, Harrisburg, PA 17105.
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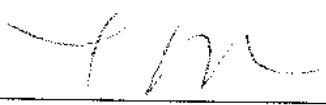
Internal Revenue Service	Technical Support Group, William Green Federal Bldg. Room 3259, 600 Arch Street Philadelphia, PA 19106
--------------------------	---

**Exhibit "A"**

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.

May 31, 2006

\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
TERRENCE J. McCABE, ESQUIRE  
Attorney for Plaintiff

**Exhibit "A"**

**McCABE, WEISBERG AND CONWAY, P.C.**

**BY: TERRENCE J. McCABE, ESQUIRE**

**Attorney for Plaintiff**

**Identification Number 16496**

**123 South Broad Street, Suite 2080**

**Philadelphia, Pennsylvania 19109**

**(215) 790-1010**

Citibank, N.A., as Trustee V. Frank Mendicino	COLUMBIA COUNTY COURT OF COMMON PLEAS  NUMBER 2004-CV-266
---	--

DATE: May 31, 2006

TO: ALL PARTIES IN INTEREST AND CLAIMANTS

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

OWNER(S): Frank Mendicino

PROPERTY: 40 Pony Train Drive, Bloomsburg, PA 17815

IMPROVEMENTS: Residential Dwelling

**Exhibit "B"**

The above-captioned property is scheduled to be sold at the **Columbia County Sheriff's Sale on Wednesday, July 26, 2006 at 9:30., A.M.** in the Sheriff's Office of the Columbia County Courthouse, Main Street, Bloomsburg, Pennsylvania 17815. Our records indicate that you may hold a mortgage or judgments and liens on, and/or other interests in the property which will be extinguished by the sale. You may wish to attend the sale to protect your interests.

A schedule of distribution will be filed by the Sheriff on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

☐ COD  
☐ Delivery Confirmation  
☐ Express Mail  
☐ Insured  
☐ Registered  
☐ Return Receipt for Merchandise  
☐ Signature Confirmation

1411 issued as a

# Exhibit "B"





# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 5/16/2006

SERVICE# 6 - OF - 16 SERVICES  
DOCKET # 78ED2006

PLAINTIFF CITIBANK, N.A., AS TRUSTEE

DEFENDANT FRANK MENDICINO  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

PERSON/CORP TO SERVED
DENISE YANNONE
2555 OLD BERWICK ROAD
BLOOMSBURG

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

try 320  
Catherine St  
SPIEGEL LIVES  
THERE

SERVED UPON Joseph

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

DATE 5-26-06 TIME 1345 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

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

TYPE OF SERVICE: A. PERSONAL SERVICE AT POA X 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) Moved to 320 Catherine St  
Blacksburg

ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

05-18-06 1450 CANCELLED NO ONE BY THAT NAME

05-25-06 1600 ARRIVED F

5-26-06 1335 ARRIVED 320 CATHERINE ST

DEPUTY J. C. [Signature] DATE 5-26-06

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 5/16/2006

SERVICE# 1 - OF - 16 SERVICES  
DOCKET # 78ED2006

PLAINTIFF CITIBANK, N.A., AS TRUSTEE

DEFENDANT FRANK MENDICINO  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

<b>PERSON/CORP TO SERVED</b>
FRANK MENDICINO
40 PONY TRAIL DRIVE
BLOOMSBURG

**PAPERS TO SERVED**  
MORTGAGE FORECLOSURE

SERVED UPON Frank

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

DATE 5-26-06 TIME 1330 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 \_\_\_\_\_

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 5/16/2006

SERVICE# 2 - OF - 16 SERVICES  
DOCKET # 78ED2006

PLAINTIFF CITIBANK, N.A., AS TRUSTEE

DEFENDANT FRANK MENDICINO  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

?

PERSON/CORP TO SERVED	PAPERS TO SERVED
EVANS DISPOSAL SERVICE	MORTGAGE FORECLOSURE
<del>341 MAINSVILLE DRIVE</del>	
BLOOMSBURG	

SERVED UPON DOUG EVANS

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

DATE 5-26-06 TIME 1130 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) 2705 Snyder Ave  
Bloomsburg 17815

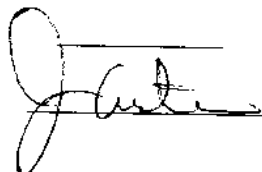
ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

DEPUTY



DATE 5-26-06

# COLUMBIA COUNTY SHERIFF'S OFFICE PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 5/16/2006

SERVICE# 5 - OF - 16 SERVICES  
DOCKET # 78ED2006

PLAINTIFF CITIBANK, N.A., AS TRUSTEE

DEFENDANT FRANK MENDICINO  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

<b>PERSON/CORP TO SERVED</b>	<b>PAPERS TO SERVED</b>
SALVATORE AND VINCENZA	MORTGAGE FORECLOSURE
SALAMONE	
3 WINDOW LANE	
BLOOMSBURG	

CK for forwarding

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) 174 New Port COAST  
CAL. 92657

ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

DEPUTY

J. Carter DATE \_\_\_\_\_

# COLUMBIA COUNTY SHERIFF'S OFFICE PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 5/16/2006

SERVICE# 13 - OF - 16 SERVICES  
DOCKET # 78ED2006

PLAINTIFF CITIBANK, N.A., AS TRUSTEE

DEFENDANT FRANK MENDICINO  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

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

SERVED UPON DEB Miller

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

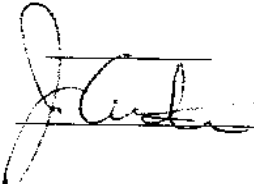
DATE 5-23-6 TIME 0810 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

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

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

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

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

DEPUTY  DATE 5-23-6

COUNTY OF COLUMBIA  
REAL ESTATE TAX CERTIFICATION

Date: 05/23/2006

Fee: \$5.00

Cert. NO: 2053

MENDICINO FRANK  
40 PONY TRAIL DRIVE  
BLOOMSBURG PA 17815

District: HEMLOCK TWP  
Deed: 20021 -2462  
Location: 40 PONY TRAIL DR  
Parcel Id:18 -07 -004-06,000

Assessment: 59,362  
Balances as of 05/23/2006

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

NO TAX CLAIM TAXES DUE

By:

Timothy J. Chamberlain  
Sheriff

Per:

dm

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 5/16/2006

SERVICE# 8 - OF - 16 SERVICES  
DOCKET # 78ED2006

PLAINTIFF CITIBANK, N.A., AS TRUSTEE

DEFENDANT FRANK MENDICINO  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

PERSON/CORP TO SERVED
DENISE OTTAVIANI-TAX COLLECTOR
116 FROSTY VALLEY ROAD
BLOOMSBURG

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON POSTED

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

DATE 05.18.06 TIME 1155 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 Dill DATE 05.18.06

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 5/16/2006

SERVICE# 9 - OF - 16 SERVICES  
DOCKET # 78ED2006

PLAINTIFF CITIBANK, N.A., AS TRUSTEE

DEFENDANT FRANK MENDICINO  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

PERSON/CORP TO SERVED	PAPERS TO SERVED
HEMLOCK SEWER	MORTGAGE FORECLOSURE
FIREHALL RD	
BLOOMSBURG	

SERVED UPON LARINA KRAMER

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

DATE 05.18.06 TIME 1205 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 05.18.06



# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 5/16/2006

SERVICE# 10 - OF - 16 SERVICES  
DOCKET # 78ED2006

PLAINTIFF CITIBANK, N.A., AS TRUSTEE

DEFENDANT FRANK MENDICINO  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

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

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON 2421 N 2ND ST

RELATIONSHIP EVF OFC IDENTIFICATION \_\_\_\_\_

DATE 05.18.06 TIME 1145 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

Pae Hlt

DATE 05.18.06

# REAL ESTATE OUTLINE

ED # 78-06

DATE RECEIVED 5-16-06  
DOCKET AND INDEX 5-17-06

## CHECK FOR PROPER INFO.

WRIT OF EXECUTION	<u>✓</u>	
COPY OF DESCRIPTION	<u>✓</u>	
WHEREABOUTS OF LKA	<u>✓</u>	
NON-MILITARY AFFIDAVIT	<u>✓</u>	
NOTICES OF SHERIFF SALE	<u>✓</u>	
WATCHMAN RELEASE FORM	<u>✓</u>	
AFFIDAVIT OF LIENS LIST	<u>✓</u>	
CHECK FOR \$1,350.00 OR <u>2000.00</u>	<u>✓</u>	CK# <u>30141</u>

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

SALE DATE July 26, 06 TIME 0930  
POSTING DATE June 22, 06  
ADV. DATES FOR NEWSPAPER  
1<sup>ST</sup> WEEK July 5  
2<sup>ND</sup> WEEK 12  
3<sup>RD</sup> WEEK 19 06

# SHERIFF'S SALE

WEDNESDAY JULY 26, 2006 AT 9:30 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 78 OF 2006 ED AND CIVIL WRIT NO. 266 OF 2004 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 THAT CERTAIN** piece, parcel and tract of land situate in Hemlock Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

**BEGINNING** at an iron pin in a hedgerow on the northern edge of a 50-foot right-of-way; said iron pin also being the southwest corner of lands now or late of Frederick B. Vietig and the southeast corner of lands herein described; **THENCE** by other lands of Robert C. and Diana M. Beishline, North 81 degrees 42 minutes 11 seconds West, 803.06 feet to an iron pin; **THENCE** by lands now or late of Douglas and Peter Kuziak, North 8 degrees 39 minutes 08 seconds East, 736.97 feet to a stone corner; **THENCE** by the same, South 81 degrees 42 minutes 11 seconds East, 803.06 feet to an iron pin; **THENCE** by lands now or late of Frederick B. Vietig, South 8 degrees 39 minutes 08 seconds West, 736.97 feet to the place of **BEGINNING**. CONTAINING 13.586 acres of land. Description prepared in accordance with survey prepared by L. Wayne Laidacker, PLS, dated 6/28/90 and last revised 8/23/90.

**UNDER AND SUBJECT** to the right of way as affecting the aforescribed premises as said right-of-way is from Glenn S. and Genevieve M. Seely to Pennsylvania Power and Light Company dated October 12, 1970 and recorded in Columbia County Miscellaneous Book 46 page 241.

The aforescribed premises being a current survey and intending to convey the premises designated as Tract No. 2 of the said Deed of conveyance from Seely to Beishline.

**TOGETHER** with a perpetual right-of-way and easement extending from the westerly right-of-way line of Township Route No. 346 (Pony Trail Drive) in a westerly direction along the northerly line of the other lands of Robert Carl Beishline and Diana M. Beishline to the southerly line of the premises aforescribed, said right-of-way to be a uniform width of fifty feet, the centerline of which is described as beginning at a point in the centerline of Township Route 346, thence westerly South eight-one degrees forty-two minutes eleven seconds West, 577.64 feet to a point at the southerly line of the premises hereinbefore described. Said right-of-way as more fully described on survey plot plan prepared by L. Wayne Laidacker dated June 28, 1990, as hereinabove referred to. Said right-of-way to be in common with Robert Carl Beishline and Diana M. Beishline, their heirs and assigns, and the Grantees herein, their heirs and assigns, for the permanent, perpetual ingress, egress, and regress from the southerly line of the premises hereinbefore described to Township Route No.346.

**UNDER AND SUBJECT TO THE FOLLOWING:**

1. This lot is restricted to a single-unit residential dwelling, attached or detached garage and accessory buildings. The exterior exposed walls at the front, side and back of any buildings shall consist of brick, stone, aluminum or vinyl siding or frame weatherboard construction or a combination thereof. Further subdivision of the lot is prohibited unless approved by Hemlock Township Planning Commission or the Hemlock Township Board of Supervisors.
2. There shall be no mobile home, mobile-type or temporary homes erected on said premises and all construction of homes and garages shall be of a permanent type.
3. That no excavation shall be made on the premises, nor earth or sand removed therefrom except as a part of the necessary excavation for the purpose of constructing and grading the premises for a residential dwelling house. All grading and landscaping with respect to said premises shall give due regard to the reasonable drainage of water.
4. That the premises shall not be used for the storage or accumulation of garbage, refuse, junk, more than one (1) disabled vehicle and any other unsightly or unsanitary accumulation.
5. That upon the erection of a dwelling house upon the premises a sewage disposal system shall be installed which shall be in conform with the rules and regulations of the Pennsylvania Department of Environmental Resources and of Hemlock Township. No drainfield shall extend closer than ten (10) feet to any boundaries of the lot.
6. Water will be obtained on-site by means of individual wells.
7. That no signs, posters, billboards or advertising of any kind shall be permitted to be erected upon the premises with the

exception of the placement on a temporary basis of a "For Rent" or "For Sale" sign of not more than six (6) square feet in area.

**TOGETHER** with all and singular the buildings improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said grantors, as well at law as in equity, of, in and to the same.

Commonly known as 40 Pony Trail Drive, Bloomsburg, PA 17815 Parcel ID#: 18-07-004-06

Title is vested in: Frank Mendicino by deed from James D. Aucker and Brenda M. Aucker, h/w dated 09/20/2002 and recorded on 10/23/2002 Instrument No. 200212462.

#### **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  
Terrence J. McCabe  
123 South Broad Street  
Philadelphia, PA 19109

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

# SHERIFF'S SALE

WEDNESDAY JULY 26, 2006 AT 9:30 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 78 OF 2006 ED AND CIVIL WRIT NO. 266 OF 2004 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' 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 THAT CERTAIN** piece, parcel and tract of land situate in Hemlock Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

**BEGINNING** at an iron pin in a hedgerow on the northern edge of a 50-foot right-of-way; said iron pin also being the southwest corner of lands now or late of Frederick B. Vietig and the southeast corner of lands herein described; **THENCE** by other lands of Robert C. and Diana M. Beishline, North 81 degrees 42 minutes 11 seconds West, 803.06 feet to an iron pin; **THENCE** by lands now or late of Douglas and Peter Kuziak, North 8 degrees 39 minutes 08 seconds East, 736.97 feet to a stone corner; **THENCE** by the same, South 81 degrees 42 minutes 11 seconds East, 803.06 feet to an iron pin; **THENCE** by lands now or late of Frederick B. Vietig, South 8 degrees 39 minutes 08 seconds West, 736.97 feet to the place of **BEGINNING**. CONTAINING 13.586 acres of land. Description prepared in accordance with survey prepared by L. Wayne Laidacker, PLS, dated 6/28/90 and last revised 8/23/90.

**UNDER AND SUBJECT** to the right of way as affecting the aforescribed premises as said right-of-way is from Glenn S. and Genevieve M. Seely to Pennsylvania Power and Light Company dated October 12, 1970 and recorded in Columbia County Miscellaneous Book 46 page 241.

The aforescribed premises being a current survey and intending to convey the premises designated as Tract No. 2 of the said Deed of conveyance from Seely to Beishline.

**TOGETHER** with a perpetual right-of-way and easement extending from the westerly right-of-way line of Township Route No. 346 (Pony Trail Drive) in a westerly direction along the northerly line of the other lands of Robert Carl Beishline and Diana M. Beishline to the southerly line of the premises aforescribed, said right-of-way to be a uniform width of fifty feet, the centerline of which is described as beginning at a point in the centerline of Township Route 346, thence westerly South eight-one degrees forty-two minutes eleven seconds West, 577.64 feet to a point at the southerly line of the premises hereinbefore described. Said right-of-way as more fully described on survey plot plan prepared by L. Wayne Laidacker dated June 28, 1990, as hereinabove referred to. Said right-of-way to be in common with Robert Carl Beishline and Diana M. Beishline, their heirs and assigns, and the Grantees herein, their heirs and assigns, for the permanent, perpetual ingress, egress, and regress from the southerly line of the premises hereinbefore described to Township Route No.346.

**UNDER AND SUBJECT TO THE FOLLOWING:**

1. This lot is restricted to a single-unit residential dwelling, attached or detached garage and accessory buildings. The exterior exposed walls at the front, side and back of any buildings shall consist of brick, stone, aluminum or vinyl siding or frame weatherboard construction or a combination thereof. Further subdivision of the lot is prohibited unless approved by Hemlock Township Planning Commission or the Hemlock Township Board of Supervisors.
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**TOGETHER** with all and singular the buildings improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said grantors, as well at law as in equity, of, in and to the same.

Commonly known as 40 Pony Trail Drive, Bloomsburg, PA 17815 Parcel ID#: 18-07-004-06

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Commonly known as 40 Pony Trail Drive, Bloomsburg, PA 17815 Parcel ID#: 18-07-004-06

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Sheriff of Columbia County  
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**WRIT OF EXECUTION (MORTGAGE FORECLOSURE)**  
**P.R.C.P. 3180 TO 3183 and Rule 3257**

Citibank, N.A., as Trustee  
V.  
Frank Mendicino

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

No. 78 Term 2006 E.D.

No. \_\_\_\_\_ Term \_\_\_\_\_ A.D.

No. 2004-CV-266 Term \_\_\_\_\_ J.D.

**WRIT OF EXECUTION  
MORTGAGE FORECLOSURE**

**Commonwealth of Pennsylvania:**

**County of Columbia**

**TO THE SHERIFF OF** COLUMBIA **COUNTY PENNSYLVANIA**

To satisfy the judgement, interest and costs in the above matter you are directed to levy upon and sell the following described property (specifically described property below):

Being Known As: 40 Pony Train Drive, Bloomsburg, PA 17815

Amount due	\$174,287.78
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Interest from 4/20/2004- (to date of sale, per diem \$28.65)	\$
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Total	\$	Plus Costs as endorsed.
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Dated: 5-16-06  
(SEAL)

Fanni B. Nline/EAS  
Prothonotary, Common Pleas Court of  
Columbia County Penna.

By:

Deputy

## LEGAL DESCRIPTION

**ALL THAT CERTAIN** piece, parcel and tract of land situate in Hemlock Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

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**TOGETHER** with a perpetual right-of-way and easement extending from the westerly right-of-way line of Township Route No. 346 (Pony Trail Drive) in a westerly direction along the northerly line of the other lands of Robert Carl Beishline and Diana M. Beishline to the southerly line of the premises aforescribed, said right-of-way to be a uniform width of fifty feet, the centerline of which is described as beginning at a point in the centerline of Township Route 346, thence westerly South eight-one degrees forty-two minutes eleven seconds West, 577.64 feet to a point at the southerly line of the premises hereinbefore described. Said right-of-way as more fully described on survey plot plan prepared by L. Wayne Laidacker dated June 28, 1990, as hereinabove referred to. Said right-of-way to be in common with Robert Carl Beishline and Diana M. Beishline, their heirs and assigns, and the Grantees herein, their heirs and assigns, for the permanent, perpetual ingress, egress, and regress from the southerly line of the premises hereinbefore described to Township Route No. 346.

### UNDER AND SUBJECT TO THE FOLLOWING:

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Commonly known as: **40 Pony Trail Dr., Bloomsburg, PA 17815. Parcel ID #: 18-07-004-06**

Title is vested in: **Frank Mendicino** by deed from James D. Aucker and Brenda M. Aucker, h/w dated 09/20/2002 and recorded on 10/23/2002 Instrument No. 200212462.

**REAL DEBT:** \$174,287.78

**SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF:** Frank Mendicino

TERRENCE J. McCABE, ESQUIRE  
123 South Broad Street, Suite 2080,  
Philadelphia, PA 19109  
(215) 790 1010

**McCABE, WEISBERG AND CONWAY, P.C.**

**BY: TERRENCE J. McCABE, ESQUIRE**

**Attorney for Plaintiff**

**Identification Number 16496**

**123 South Broad Street, Suite 2080**

**Philadelphia, PA 19109**

**(215) 790-1010**

Citibank, N.A., as Trustee V. Frank Mendicino	COLUMBIA COUNTY COURT OF COMMON PLEAS  NUMBER 2004-CV-266
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**AFFIDAVIT PURSUANT TO RULE 3129**

I, Terrence J. McCabe, Esquire, attorney for Plaintiff in the above action, set forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at 40 Pony Train Drive, Bloomsburg, PA 17815 a copy of the description of said property is attached hereto and marked Exhibit "A."

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

Frank Mendicino  
40 Pony Train Drive  
Bloomsburg, PA 17815

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

Frank Mendicino  
40 Pony Train Drive  
Bloomsburg, PA 17815

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

Evans Disposal Service  
341 Mainsville Drive  
Bloomsburg, PA 17815

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

Chase Manhattan Mtg. Corp,  
343 Thornall Street  
Edison, NJ 08837

Citibank, NA., as Trustee  
10890 Rancho Bernardo Road,  
San Diego, CA 92127

Salvatore Salamone and Vincenza Salamone,  
3 Window Lane,  
Bloomsburg, PA 17815

Denise Yannone,  
2555 Old Berwick Road  
Bloomsburg, Pa 17815

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:

Name	Address
Commonwealth of PA Department of Revenue	Bureau of Compliance Clearance Support Department 281230 Harrisburg, PA 17128-1230 Attn: Sheriff's Sales

6. 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:

Name	Address
Tenant(s)/Occupant(s)	40 Pony Train Drive, Bloomsburgh, PA 17815
Domestic Relations	Columbia County 700 Sawmill Road Bloomsburg, PA 17815
Commonwealth of Pennsylvania,	Department of Welfare, P.O. Box 2675, Harrisburg, PA 17105.
Internal Revenue Service	Technical Support Group, William Green Federal Bldg. Room 3259, 600 Arch Street Philadelphia, PA 19106

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.

May 15, 2006

\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
TERRENCE J. McCABE, ESQUIRE  
Attorney for Plaintiff

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6. Water will be obtained on-site by means of individual wells.
7. That no signs, posters, billboards or advertising of any kind shall be permitted to be erected upon the premises with the exception of the placement on a temporary basis of a "For Rent" or "For Sale" sign of not more than six (6) square feet in area.

**TOGETHER** with all and singular the buildings improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said grantors, as well at law as in equity, of, in and to the same.

Commonly known as: **40 Pony Trail Dr., Bloomsburg, PA 17815. Parcel ID #: 18-07-004-06**

Title is vested in: **Frank Mendicino** by deed from James D. Aucker and Brenda M. Aucker, h/w dated 09/20/2002 and recorded on 10/23/2002 Instrument No. 200212462.

**REAL DEBT:** \$174,287.78

**SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF:** Frank Mendicino

TERRENCE J. McCABE, ESQUIRE  
123 South Broad Street, Suite 2080,  
Philadelphia, PA 19109  
(215) 790 1010

**Exhibit A**

**McCABE, WEISBERG AND CONWAY, P.C.**

**BY: TERRENCE J. McCABE, ESQUIRE**

**Attorney for Plaintiff**

**Identification Number 16496**

**123 South Broad Street, Suite 2080**

**Philadelphia, PA 19109**

**(215) 790-1010**

Citibank, N.A., as Trustee V. Frank Mendicino	COLUMBIA COUNTY COURT OF COMMON PLEAS  NUMBER 2004-CV-266
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**AFFIDAVIT PURSUANT TO RULE 3129**

*2006-ED-78*

I, Terrence J. McCabe, Esquire, attorney for Plaintiff in the above action, set forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at 40 Pony Train Drive, Bloomsburg, PA 17815 a copy of the description of said property is attached hereto and marked Exhibit "A."

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

Frank Mendicino  
40 Pony Train Drive  
Bloomsburg, PA 17815

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

Frank Mendicino  
40 Pony Train Drive  
Bloomsburg, PA 17815

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

Evans Disposal Service  
341 Mainsville Drive  
Bloomsburg, PA 17815

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

Chase Manhattan Mtg. Corp,  
343 Thornall Street  
Edison, NJ 08837

Citibank, NA., as Trustee  
10890 Rancho Bernardo Road,  
San Diego, CA 92127

Salvatore Salamone and Vincenza Salamone,  
3 Window Lane,  
Bloomsburg, PA 17815

Denise Yannone,  
2555 Old Berwick Road  
Bloomsburg, Pa 17815

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:

Name	Address
Commonwealth of PA Department of Revenue	Bureau of Compliance Clearance Support Department 281230 Harrisburg, PA 17128-1230 Attn: Sheriff's Sales

6. 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:

Name	Address
Tenant(s)/Occupant(s)	40 Pony Train Drive, Bloomsburgh, PA 17815
Domestic Relations	Columbia County 700 Sawmill Road Bloomsburg, PA 17815
Commonwealth of Pennsylvania,	Department of Welfare, P.O. Box 2675, Harrisburg, PA 17105.
Internal Revenue Service	Technical Support Group, William Green Federal Bldg. Room 3259, 600 Arch Street Philadelphia, PA 19106



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.

May 15, 2006

\_\_\_\_\_  
DATE

*T. McCabe*

\_\_\_\_\_  
TERRENCE J. McCABE, ESQUIRE  
Attorney for Plaintiff

## LEGAL DESCRIPTION

**ALL THAT CERTAIN** piece, parcel and tract of land situate in Hemlock Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

**BEGINNING** at an iron pin in a hedgerow on the northern edge of a 50-foot right-of-way; said iron pin also being the southwest corner of lands now or late of Frederick B. Vietig and the southeast corner of lands herein described; THENCE by other lands of Robert C. and Diana M. Beishline, North 81 degrees 42 minutes 11 seconds West, 803.06 feet to an iron pin; THENCE by lands now or late of Douglas and Peter Kuziak, North 8 degrees 39 minutes 08 seconds East, 736.97 feet to a stone corner; THENCE by the same, South 81 degrees 42 minutes 11 seconds East, 803.06 feet to an iron pin; THENCE by lands now or late of Frederick B. Vietig, South 8 degrees 39 minutes 08 seconds West, 736.97 feet to the place of BEGINNING. CONTAINING 13.586 acres of land. Description prepared in accordance with survey prepared by L. Wayne Laidacker, P.L.S., dated 6/28/90 and last revised 8/23/90.

**UNDER AND SUBJECT** to the right of way as affecting the aforescribed premises as said right-of-way is from Glenn S. and Genevieve M. Seely to Pennsylvania Power and Light Company dated October 12, 1970 and recorded in Columbia County Miscellaneous Book 46 page 241. The aforescribed premises being a current survey and intending to convey the premises designated as Tract No. 2 of the said Deed of conveyance from Seely to Beishline.

**TOGETHER** with a perpetual right-of-way and easement extending from the westerly right-of-way line of Township Route No. 346 (Pony Trail Drive) in a westerly direction along the northerly line of the other lands of Robert Carl Beishline and Diana M. Beishline to the southerly line of the premises aforescribed, said right-of-way to be a uniform width of fifty feet, the centerline of which is described as beginning at a point in the centerline of Township Route 346, thence westerly South eight-one degrees forty-two minutes eleven seconds West, 577.64 feet to a point at the southerly line of the premises hereinbefore described. Said right-of-way as more fully described on survey plot plan prepared by L. Wayne Laidacker dated June 28, 1990, as hereinabove referred to. Said right-of-way to be in common with Robert Carl Beishline and Diana M. Beishline, their heirs and assigns, and the Grantees herein, their heirs and assigns, for the permanent, perpetual ingress, egress, and regress from the southerly line of the premises hereinbefore described to Township Route No. 346.

### UNDER AND SUBJECT TO THE FOLLOWING:

1. This lot is restricted to a single-unit residential dwelling, attached or detached garage and accessory buildings. The exterior exposed walls at the front, side and back of any buildings shall consist of brick, stone, aluminum or vinyl siding or frame weatherboard construction or a combination thereof. Further subdivision of the lot is prohibited unless approved by Hemlock Township Planning Commission or the Hemlock Township Board of Supervisors.
2. There shall be no mobile home, mobile-type or temporary homes erected on said premises and all construction of homes and garages shall be of a permanent type.
3. That no excavation shall be made on the premises, nor earth or sand removed therefrom except as a part of the necessary excavation for the purpose of constructing and grading the premises for a residential dwelling house. All grading and landscaping with respect to said premises shall give due regard to the reasonable drainage of water.
4. That the premises shall not be used for the storage or accumulation of garbage, refuse, junk, more than one (1) disabled vehicle and any other unsightly or unsanitary accumulation.
5. That upon the erection of a dwelling house upon the premises a sewage disposal system shall be installed which shall be in conform with the rules and regulations of the Pennsylvania Department of Environmental Resources and of Hemlock Township. No drainfield shall extend closer than ten (10) feet to any boundaries of the lot.
6. Water will be obtained on-site by means of individual wells.
7. That no signs, posters, billboards or advertising of any kind shall be permitted to be erected upon the premises with the exception of the placement on a temporary basis of a "For Rent" or "For Sale" sign of not more than six (6) square feet in area.

**TOGETHER** with all and singular the buildings improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said grantors, as well at law as in equity, of, in and to the same.

Commonly known as: **40 Pony Trail Dr., Bloomsburg, PA 17815. Parcel ID #: 18-07-004-06**

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**REAL DEBT:** \$174,287.78

**SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF:** Frank Mendicino

TERRENCE J. McCABE, ESQUIRE  
123 South Broad Street, Suite 2080,  
Philadelphia, PA 19109  
(215) 790 1010

**Exhibit A**

**McCABE, WEISBERG AND CONWAY, P.C.**

**BY: TERRENCE J. McCABE, ESQUIRE**

**Attorney for Plaintiff**

**Identification Number 16496**

**123 South Broad Street, Suite 2080**

**Philadelphia, PA 19109**

**(215) 790-1010**

Citibank, N.A., as Trustee V. Frank Mendicino	COLUMBIA COUNTY COURT OF COMMON PLEAS  NUMBER 2004-CV-266
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*2006-ED 28*

**AFFIDAVIT OF DEFENDANTS' WHEREABOUTS**

I, Terrence J. McCabe, Esquire, attorney for the Plaintiff in the within matter, being duly sworn according to law, hereby depose and say that the last-known address of the Defendant(s) are as follows:

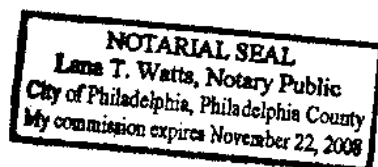
Frank Mendicino  
40 Pony Train Drive  
Bloomsburg, PA 17815

*T. McCabe*

TERRENCE J. McCABE, ESQUIRE  
Attorney for Plaintiff

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 15th DAY  
OF MAY, 2006.

*[Signature]*  
NOTARY PUBLIC



McCABE, WEISBERG AND CONWAY, P.C.

BY: TERRENCE J. McCABE, ESQUIRE

Attorney for Plaintiff

Identification Number 16496

123 South Broad Street, Suite 2080

Philadelphia, PA 19109

(215) 790-1010

Citibank, N.A., as Trustee  
V.  
Frank Mendicino

COLUMBIA COUNTY  
COURT OF COMMON PLEAS

NUMBER 2004-CV-266

*2006-ED-78*

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I, Terrence J. McCabe, Esquire, attorney for the Plaintiff in the within matter, being duly sworn according to law, hereby depose and say that the last-known address of the Defendant(s) are as follows:

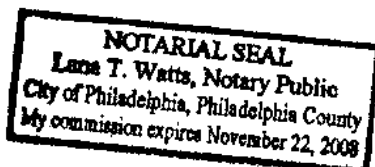
Frank Mendicino  
40 Pony Train Drive  
Bloomsburg, PA 17815

*T. McCabe*

TERRENCE J. McCABE, ESQUIRE  
Attorney for Plaintiff

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 15th DAY  
OF MAY, 2006.

*Sara J. [Signature]*  
NOTARY PUBLIC



**McCABE, WEISBERG AND CONWAY, P.C.**

**BY: TERRENCE J. McCABE, ESQUIRE**

**Attorney for Plaintiff**

**Identification Number 16496**

**123 South Broad Street, Suite 2080**

**Philadelphia, PA 19109**

**(215) 790-1010**

Citibank, N.A., as Trustee V. Frank Mendicino	COLUMBIA COUNTY COURT OF COMMON PLEAS  NUMBER 2004-CV-266
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TO: Sheriff of Columbia County  
Courthouse, Main Street  
P.O. Box 380  
Bloomsburg, PA 17815

*2006 ED 78*

SIR OR MADAM:

There will be placed in your hands for service a Writ (Order) of Execution in the above-captioned matter.

**INSTRUCTIONS**

You are hereby directed to post, levy upon, and sell the property described as follows:

40 Pony Train Drive, Bloomsburg, PA 17815  
(more fully described as attached)

The parties to be served and their proper addresses are as follows:

Frank Mendicino  
40 Pony Train Drive,  
Bloomsburg, PA 17815

**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 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.

May 15, 2006

DATE

*T. McCabe*  
TERRENCE J. McCABE, ESQUIRE

**McCABE, WEISBERG AND CONWAY, P.C.**

**BY: TERRENCE J. McCABE, ESQUIRE**

**Attorney for Plaintiff**

**Identification Number 16496**

**123 South Broad Street, Suite 2080**

**Philadelphia, PA 19109**

**(215) 790-1010**

Citibank, N.A., as Trustee V. Frank Mendicino	COLUMBIA COUNTY COURT OF COMMON PLEAS  NUMBER 2004-CV-266
---	--

TO: Sheriff of Columbia County  
Courthouse, Main Street  
P.O. Box 380  
Bloomsburg, PA 17815

*2006-ED-78*

SIR OR MADAM:

There will be placed in your hands for service a Writ (Order) of Execution in the above-captioned matter.

**INSTRUCTIONS**

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40 Pony Train Drive, Bloomsburg, PA 17815  
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The parties to be served and their proper addresses are as follows:

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**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 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.

May 15, 2006

DATE

*T. McCabe*  
TERRENCE J. McCABE, ESQUIRE

**McCABE, WEISBERG AND CONWAY, P.C.**

**BY: TERRENCE J. McCABE, ESQUIRE**

**Attorney for Plaintiff**

**Identification Number 16496**

**123 South Broad Street, Suite 2080**

**Philadelphia, PA 19109**

**(215) 790-1010**

Citibank, N.A., as Trustee V. Frank Mendicino	COLUMBIA COUNTY COURT OF COMMON PLEAS  NUMBER 2004-CV-266
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**NOTICE OF SHERIFF'S SALE OF REAL PROPERTY**

TO: Frank Mendicino  
40 Pony Train Drive,  
Bloomsburg, PA 17815

Your house (real estate) at 40 Pony Train Drive, Bloomsburg, PA 17815, (more fully described as attached) is scheduled to be **sold at the Columbia County Sheriff's Sale** on \_\_\_\_\_ at \_\_\_\_\_ **a.m.**, in the Sheriff's Office of the Columbia County Courthouse, Main Street, Bloomsburg, Pennsylvania 17815, to enforce the court judgment of **\$174,287.78** obtained by Citibank, N.A., as Trustee 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 canceled if you pay to Citibank, N.A., as Trustee the back payments, late charges, costs, and reasonable attorney's fees due. To find out how much you must pay, you may call Terrence J. McCabe, Esquire at (215) 790-1010.
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 more chance you will have of stopping the sale. (See the following notice 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 bid by calling Terrence J. McCabe, Esquire at (215) 790-1010.
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 on the sale. To find out if this has happened, you may call Terrence J. McCabe, Esquire at (215) 790-1010.
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 real estate. A schedule of distribution of the money bid for your real estate will be filed by the Sheriff within (30) days of the 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 schedule of distribution is wrong) are filed with the Sheriff within ten (10) days after the posting of the schedule of distribution.
7. You may also have other rights and defenses, or ways of getting your real estate 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS  
OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.  
IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE  
MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT  
AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE  
PERSONS AT A REDUCED FEE OR NO FEE.**

SUSQUEHANNA LEGAL SERVICES  
168 EAST 5TH STREET  
BLOOMSBURG, PA 17815  
(570) 784-8760

PA LAWYER REFERRAL SERVICE  
PA BAR ASSOCIATION  
P.O. BOX 186  
HARRISBURG, PA 17108  
(800) 692-7375



## LEGAL DESCRIPTION

**ALL THAT CERTAIN** piece, parcel and tract of land situate in Hemlock Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

**BEGINNING** at an iron pin in a hedgerow on the northern edge of a 50-foot right-of-way; said iron pin also being the southwest corner of lands now or late of Frederick B. Vietig and the southeast corner of lands herein described; **THENCE** by other lands of Robert C. and Diana M. Beishline, North 81 degrees 42 minutes 11 seconds West, 803.06 feet to an iron pin; **THENCE** by lands now or late of Douglas and Peter Kuziak, North 8 degrees 39 minutes 08 seconds East, 736.97 feet to a stone corner; **THENCE** by the same, South 81 degrees 42 minutes 11 seconds East, 803.06 feet to an iron pin; **THENCE** by lands now or late of Frederick B. Vietig, South 8 degrees 39 minutes 08 seconds West, 736.97 feet to the place of **BEGINNING**. **CONTAINING** 13.586 acres of land. Description prepared in accordance with survey prepared by L. Wayne Laidacker, PLS, dated 6/28/90 and last revised 8/23/90.

**UNDER AND SUBJECT** to the right of way as affecting the aforescribed premises as said right-of-way is from Glenn S. and Genevieve M. Seely to Pennsylvania Power and Light Company dated October 12, 1970 and recorded in Columbia County Miscellaneous Book 46 page 241. The aforescribed premises being a current survey and intending to convey the premises designated as Tract No. 2 of the said Deed of conveyance from Seely to Beishline.

**TOGETHER** with a perpetual right-of-way and easement extending from the westerly right-of-way line of Township Route No. 346 (Pony Trail Drive) in a westerly direction along the northerly line of the other lands of Robert Carl Beishline and Diana M. Beishline to the southerly line of the premises aforescribed, said right-of-way to be a uniform width of fifty feet, the centerline of which is described as beginning at a point in the centerline of Township Route 346, thence westerly South eight-one degrees forty-two minutes eleven seconds West, 577.64 feet to a point at the southerly line of the premises hereinbefore described. Said right-of-way as more fully described on survey plot plan prepared by L. Wayne Laidacker dated June 28, 1990, as hereinabove referred to. Said right-of-way to be in common with Robert Carl Beishline and Diana M. Beishline, their heirs and assigns, and the Grantees herein, their heirs and assigns, for the permanent, perpetual ingress, egress, and regress from the southerly line of the premises hereinbefore described to Township Route No. 346.

### UNDER AND SUBJECT TO THE FOLLOWING:

1. This lot is restricted to a single-unit residential dwelling, attached or detached garage and accessory buildings. The exterior exposed walls at the front, side and back of any buildings shall consist of brick, stone, aluminum or vinyl siding or frame weatherboard construction or a combination thereof. Further subdivision of the lot is prohibited unless approved by Hemlock Township Planning Commission or the Hemlock Township Board of Supervisors.
2. There shall be no mobile home, mobile-type or temporary homes erected on said premises and all construction of homes and garages shall be of a permanent type.
3. That no excavation shall be made on the premises, nor earth or sand removed therefrom except as a part of the necessary excavation for the purpose of constructing and grading the premises for a residential dwelling house. All grading and landscaping with respect to said premises shall give due regard to the reasonable drainage of water.
4. That the premises shall not be used for the storage or accumulation of garbage, refuse, junk, more than one (1) disabled vehicle and any other unsightly or unsanitary accumulation.
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**TOGETHER** with all and singular the buildings improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said grantors, as well at law as in equity, of, in and to the same.

Commonly known as: **40 Pony Trail Dr., Bloomsburg, PA 17815. Parcel ID #: 18-07-004-06**

Title is vested in: **Frank Mendicino** by deed from James D. Aucker and Brenda M. Aucker, h/w dated 09/20/2002 and recorded on 10/23/2002 Instrument No. 200212462.

**REAL DEBT:** \$174,287.78

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Commonly known as: **40 Pony Trail Dr., Bloomsburg, PA 17815. Parcel ID #: 18-07-004-06**

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(215) 790 1010

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**TOGETHER** with a perpetual right-of-way and easement extending from the westerly right-of-way line of Township Route No. 346 (Pony Trail Drive) in a westerly direction along the northerly line of the other lands of Robert Carl Beishline and Diana M. Beishline to the southerly line of the premises aforescribed, said right-of-way to be a uniform width of fifty feet, the centerline of which is described as beginning at a point in the centerline of Township Route 346, thence westerly South eight-one degrees forty-two minutes eleven seconds West, 577.64 feet to a point at the southerly line of the premises hereinbefore described. Said right-of-way as more fully described on survey plot plan prepared by L. Wayne Laidacker dated June 28, 1990, as hereinabove referred to. Said right-of-way to be in common with Robert Carl Beishline and Diana M. Beishline, their heirs and assigns, and the Grantees herein, their heirs and assigns, for the permanent, perpetual ingress, egress, and regress from the southerly line of the premises hereinbefore described to Township Route No. 346.

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Commonly known as: **40 Pony Trail Dr., Bloomsburg, PA 17815. Parcel ID #: 18-07-004-06**

Title is vested in: **Frank Mendicino** by deed from James D. Aucker and Brenda M. Aucker, h/w dated 09/20/2002 and recorded on 10/23/2002 Instrument No. 200212462.

**REAL DEBT:** \$174,287.78

**SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF:** Frank Mendicino

TERRENCE J. McCABE, ESQUIRE  
123 South Broad Street, Suite 2080,  
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LAW OFFICES  
**McCABE, WEISBERG & CONWAY, P.C.**

TERRENCE J. McCABE\*\*\*  
MARC S. WEISBERG\*\*  
EDWARD D. CONWAY  
MARGARET GAIRO  
RITA C. BUSCHER\*†  
MONICA G. CHRISTIE ++  
FRANK DUBIN  
BRENDA L. BROGDON\*  
SEAN GARRETT\*+  
JULIE M. FIORELLO^  
BETH L. THOMAS  
LAURENCE R. CHASHIN\*  
SVEN E. PFAHLERT\*  
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MICHELE DELILLE^

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216 HADDON AVENUE  
WESTMONT, NJ 08108  
(856) 858-7080  
FAX (856) 858-7020

SUITE 205  
53 WEST 36<sup>TH</sup> STREET  
NEW YORK, NY 10018  
(917) 351-1188  
FAX (917) 351-0363

JOSEPH F. RIGA\*  
Of Counsel

\* Licensed in PA & NJ  
\*\* Licensed in PA & NY  
+ Licensed in PA & NM  
\*\*\* Licensed in PA, NJ & NY  
† Licensed in NY & CT  
^ Licensed in NY  
‡ Managing Attorney for NJ  
+ Managing Attorney for NY

May 15, 2006

Sheriff's Office  
Columbia County Courthouse  
Main Street  
P.O. Box 380  
Bloomsburg, PA 17815

Re: Citibank, N.A., as Trustee  
v. Frank Mendicino  
Columbia County Court of Common Pleas Number 2004-CV-266

Dear Sheriff:

Enclosed please find two copies of Notice of Sheriff's Sale of Real Property relative to the above matter. I would appreciate your serving the Notice upon the Defendant(s):

Frank Mendicino  
40 Pony Train Drive  
Bloomsburg, PA 17815

After service has been effectuated, I would appreciate your forwarding to me the pertinent affidavit indicating the same.

Thank you for your cooperation in this matter.

Very truly yours,



Angie Owens, Paralegal to,  
TERRENCE J. McCABE, Esquire

TJM/ao  
Enclosures



ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

MCCABE, WEISBERG & CONWAY, P.C.

ATTORNEYS AT LAW  
FIRST UNION BUILDING  
123 S. BROAD STREET SUITE 2080  
PHILADELPHIA, PA 19109



WACHOVIA

3-50/310

30141

NUMBER

PAY: Two Thousand

\*\*\*\*\*

DATE

MAY 15/2006

AMOUNT

\$2,000.00

TO THE Sheriff of Columbia County

ORDER

OF

Sheriff's deposit for listing property

ESCROW TRUST  
VOID AFTER 90 DAYS

*Terrence J. McCabe*

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

⑈030141⑈ ⑆031000503⑆ 200001243002⑈

Details on back



Security Features Included

SECURE 300333  
MICROPRINT  
M\*