# SHERIFF'S SALE

#### WEDNESDAY FEBRUARY 6, 2008 AT 9:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 172 OF 2007 ED AND CIVIL WRIT NO. 581 OF 2005 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

#### METES AND BOUNDS DECRIPTION

Real Property at: 427 East 3rd Street, Front, Bloomsburg, PA (Parcel 1)

427 East 3rd Street, Rear, Bloomsburg, PA (Parcel 2)

#### Parcel 1 No: 05E-O3-393-01

ALL THAT CERTAIN piece or parcel of land situate in the Town of Bloomsburg, Columbia County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin at the Northwest corner of the intersection of East Third Street and an unnamed alley; THENCE along the Northern side of East Third Street, South 69 degrees 20 minutes 50 seconds West, 49.5 feet to an iron pin in line of lands now or formerly of John M. and Adilene W. Ralston; THENCE by the same, North 20 degrees 39 minutes 10 seconds West, 94.22 feet to an iron pin in other lands now or formerly of Pandora Enterprises, Inc.; THENCE by the same, North 69 degrees 20 minutes 50 seconds East, 49.5 feet to an iron pin on the Western side of the aforementioned alley; THENCE by the same, South 20 degrees 39 minutes 10 seconds East, 94.22 feet to the iron pin on the Northern side of East Third Street, the place of BEGINNING.

BEING the same premises which Pandora Enterprises, Inc., by its Deed dated August 29, 1973 and recorded in the Columbia County Court House in Deed Book 263, page 620, granted and conveyed unto Casper Frantz, Jr. and Rose E. Frantz, husband and wife.

#### Parcel 2 No: 05E-03-393 (Rear)

ALL THAT CERTAIN piece or parcel land, situate on the north side of East Third Street in Synder Addition to the Town of Bloomsburg, Columbia County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the north side of East Third Street aforesaid, at a comer of land formerly of George B. Hunt, but now owned by Thomas Miller; thence northwardly along the same, 128 ½ feet to an alley; then eastwardly along said alley 49 1/2 feet to another alley; thence southwardly along said alley, 128 ½ feet to a corner at East Third Street; and thence westwardly along said street 49 1/2 feet to a corner, the place of beginning. Erected thereon is a substantial house accommodation and additional improvements.

EXCEPTING AND RESERVING therefrom and thereout all that certain piece, parcel and lot of land situate in the Town of Bloomsburg County or Columbia and State of Pennsylvania, bounded and described as follows, to wit:

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BEING A PORTION of the same premises which Eugene H. Cromley and Thelma J. Cromley, his wife, by their deed dated December 22, 1965, and recorded in the Office of the Recorder of Deeds of Columbia County, Pennsylvania in Deed Book 230, page 700, granted and conveyed to Pandora Enterprises, Inc.

#### 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.

IMPORT ANT 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 Walter Weir 1339 Chestnut Street Philadelphia, PA 19107

Sheriff of Columbia County
Timothy T. Chamberlain
www.sheriffofcolumbiacounty.com

# SHERIFF'S SALE

## WEDNESDAY FEBRUARY 6, 2008 AT 9:00 AM

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Plaintiff's Attorney Walter Weir 1339 Chestnut Street Philadelphia, PA 19107

Sheriff of Columbia County
Timothy T. Chamberlain
www.sheriffofcolumbiacounty.com

WEIR & PARTNERS LLP
By: Walter Weir, Jr., Esquire
Attorney Id. No. 23127
The Widener Building, Suite 500
1339 Chestnut Street
Philadelphia, PA 19107
(215) 665-8181

Attorney for Plaintiff

FIRST SOUTHWESTERN FINANCIAL SERVICES, as Assignee to C.D.B. Finance Corporation P.O. Box 487 Roy, UT 84067,

COURT OF COMMON PLEAS OF COLUMBIA COUNTY

Plaintiff,

vs.

NAOMA E. THOMAS a/k/a
NAOMI THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,
And
JOHN P. THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815.

NO. 2005-CV-581

2007-ED-172

Defendants.

## PRAECIPE FOR WRIT OF EXECUTION UPON A CONFORMED CONFESSED JUDGMENT

To the Prothonotary:

Issue a writ of execution upon a judgment entered by confession in the above matter,

- directed to the Sheriff of Columbia County;
- 2. against Naoma E. Thomas a/k/a Naomi Thomas, Defendant;
- 3. against John P. Thomas, Defendant;

290651-1

- 4. and index this writ;
  - a) against Naoma E. Thomas a/k/a Naomi Thomas, Defendant;

b) against John P. Thomas, Defendant

5. Principal \$ 72,204.90 Interest to 9/7/07 \$ 13,669.79 Attorneys' fees \$ 24,628.90 Paid Real Estate Taxes: \$ 5,015.98

TOTAL REAL DEBT \$115,519.57\*

\*Plus continuing interest from September 8, 2007 at a per diem rate of \$43.12, late charges, attorneys' fees, and expenses.

#### **CERTIFICATION**

#### I certify that

- (a) This praecipe is based upon a judgment entered by confession which was later conformed pursuant to an order entered into by the Court of Common Pleas of Columbia County;
- (b) This praccipe takes into consideration the credits applied to the judgment as a result of the sales of other property; and
- (c) A 2958.1 Notice is not required as this is an action to conform confessed judgment pursuant to Pennsylvania Rule of Civil/Procedure 2981 et seq.

WEIR & PARTNERS LLP

BY:

Walter Weir, Jr., Esquire

Attorney for Plaintiff

Dated: September 11, 2007

## WRIT OF EXECUTION (CONFORMED CONFESSION OF JUDGMENT)

WEIR & PARTNERS LLP By: Walter Weir, Jr., Esquire Attorney Id. No. 23127 The Widener Building, Suite 500 1339 Chestnut Street Philadelphia, PA 19107 (215) 665-8181

Attorney for Plaintiff

FIRST SOUTHWESTERN FINANCIAL SERVICES, as Assignee to C.D.B. Finance Corporation P.O. Box 487 Roy, UT 84067,

COURT OF COMMON PLEAS OF COLUMBIA COUNTY

Plaintiff,

vs.

NO. 2005-CV-581

2007-ED-172

NAOMA E. THOMAS a/k/a
NAOMI THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,
And
JOHN P. THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,

;

Defendants.

Commonwealth of Pennsylvania

SS.

County of Columbia

•

TO THE SHERIFF OF COLUMBIA, PENNSYLVANIA:

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

290651-1

Real Property at: 427 East 3<sup>rd</sup> Street, Front, Bloomsburg, PA (Parcel 1) 427 East 3<sup>rd</sup> Street, Rear, Bloomsburg, PA (Parcel 2)

Description: Parcel 1 No: 05E-03-393-01

**ALL THAT CERTAIN** piece or parcel of land situate in the Town of Bloomsburg, Columbia County, Pennsylvania, bounded and described as follows, to wit:

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## Description Parcel 2 No: 05E-03-393 (Rear)

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**BEGINNING** at a point on the north side of East Third Street aforesaid, at a corner of land formerly of George B. Hunt, but now owned by Thomas Miller; thence northwardly along the same, 128 ½ feet to an alley; then eastwardly along said alley 49 ½ feet to another alley; thence southwardly along said alley, 128 ½ feet to a corner at East Third Street; and thence westwardly along said street 49 ½ feet to a corner, the place of beginning. Erected thereon is a substantial house accommodation and additional improvements.

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 Principal
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 Interest to 9/7/07
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 Attorneys' fees
 \$ 24,628.90

 Paid Real Estate Taxes:
 \$ 5,015.98

TOTAL REAL DEBT \$115,519.57\*

\*Plus continuing interest from September 8, 2007 at a per diem rate of \$43.12, late charges, attorneys' fees, and expenses.

Plus Costs \$\_\_\_\_\_as endorsed.

Dated: 9 | 9 | 30

Prothonotary, Common Pleas Court of Columbia County, Pennsylvania

(SEAL)

Deputu

WEIR & PARTNERS LLP By: Walter Weir, Jr., Esquire Attorney Id. No. 23127 The Widener Building, Suite 500 1339 Chestnut Street Philadelphia, PA 19107 (215) 665-8181

FIRST SOUTHWESTERN FINANCIAL SERVICES, as Assignee to C.D.B. Finance Corporation P.O. Box 487 Roy, UT 84067,

Plaintiff,

vs.

NAOMA E. THOMAS a/k/a
NAOMI THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,
And
JOHN P. THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,

Defendants.

Attorney for Plaintiff

COURT OF COMMON PLEAS OF COLUMBIA COUNTY

NO. 2005-CV-581

## NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO DEFENDANTS\*:

Naoma E. Thomas a/k/a

Naomi Thomas 437 East 3<sup>rd</sup> Street Bloomsburg, PA 17815

And

427 East 3<sup>rd</sup> Street Bloomsburg, PA 17815

AND

John P. Thomas 437 East 3<sup>rd</sup> Street Bloomsburg, PA 17815 And 427 East 3<sup>rd</sup> Street Bloomsburg, PA 17815

\*Via: Certified Mail Return Receipt Requested and First Class Mail with Certificate of Mailing

Your real estate at: 427 East 3rd Street, Front and Rear, Bloomsburg, PA					
17815, is scheduled to be sold at Sheriff's Sale on, at, at					
to enforce the Court Judgment					
dated May 13, 2005 originally in the amount of \$132,214.31, obtained by First					
Southwestern Financial Services against you, which is now \$115,519.57 plus					
continuing interest, which shall continue to accrue at the per diem rate of					
\$43.12, late charges, attorneys' fees and costs and expenses, until such time					
as the real property located at 427 East 3 <sup>rd</sup> Street, Front and Rear,					
Bloomsburg, PA 17815, is sold at Sheriff's Sale.					

## 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 First Southwestern Financial Services the back payments, late charges, costs and reasonable attorneys' fees due. To find out how much you must pay, you may call Walter Weir, Jr., Esquire at 215-665-8181.
- 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.

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

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

## YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS EVEN IF THE SHERIFF'S SALE DOES 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 bid price by calling Walter Weir, Jr., Esquire at 215-665-8181.
- 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 took place you may call Walter Weir, Jr., Esquire at 215-665-8181.
- 4. If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.
- 5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
- 6. You may be entitled to a share of the money which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff by \_\_\_\_\_\_. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after \_\_\_\_\_\_.
- 7. You may also have other rights and defenses, or ways of getting your house back, if you act immediately after the sale.

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

North Penn Legal Services 168 West 5th Street

Bloomsburg, PA 17815 (570) 784-8760

WEIR & PARTNERS LLP

BY:

Walter Weir, Jr, Esquire Autorney for Plaintiff

Dated: September 11, 2007

WEIR & PARTNERS LLP

By: Walter Weir, Jr., Esquire

Attorney Id. No. 23127

The Widener Building, Suite 500

1339 Chestnut Street Philadelphia, PA 19107

(215) 665-8181

Attorney for Plaintiff

COURT OF COMMON PLEAS

OF COLUMBIA COUNTY

FIRST SOUTHWESTERN FINANCIAL

SERVICES, as Assignee to C.D.B. Finance Corporation

P.O. Box 487 Roy, UT 84067,

Plaintiff.

vs.

NO. 2005-CV-581

2007-ED 172

NAOMA E. THOMAS a/k/a
NAOMI THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,
And

JOHN P. THOMAS 437 East 3<sup>rd</sup> Street Bloomsburg, PA 17815,

Defendants,

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO DEFENDANTS\*: Naoma E. Thomas a/k/a

Naomi Thomas 437 East 3<sup>rd</sup> Street

Bloomsburg, PA 17815

And

427 East 3rd Street

Bloomsburg, PA 17815

AND

John P. Thomas 437 East 3<sup>rd</sup> Street Bloomsburg, PA 17815 And 427 East 3<sup>rd</sup> Street Bloomsburg, PA 17815

\*Via: Certified Mail Return Receipt Requested and First Class Mail with Certificate of Mailing

\*\*TO ALL OTHER PARTIES IN INTEREST: See Exhibit "B"

\*\*Via: Certified Mail Return Receipt Requested and First Class Mail with Certificate of Mailing

on the property which may be extinguished by the ale.

attend the sale to protect your interests.

WEIR & PARTNERS LLA

BY:

Walter Weir, Jr., Paquire Attorney for Plaintin You may wish to

Dated: September 11, 2007

#### EXHIBIT "A"

#### METES AND BOUNDS DECRIPTION

Real Property at: 427 East 3rd Street, Front, Bloomsburg, PA (Parcel 1)

427 East 3rd Street, Rear, Bloomsburg, PA (Parcel 2)

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#### EXHIBIT "B"

Naoma E. Thomas a/k/a Naomi Thomas 437 East 3<sup>rd</sup> Street Bloomsburg, PA 17815 and 427 East 3<sup>rd</sup> Street Bloomsburg, PA 17815

John P. Thomas 437 East 3<sup>rd</sup> Street Bloomsburg, PA 17815 and 427 East 3<sup>rd</sup> Street Bloomsburg, PA 17815

First Southwestern Financial Services c/o Walter Weir, Jr., Esquire Weir & Partners LLP The Widener Building, Suite 500 1339 Chestnut Street Philadelphia, PA 19107

CDB Finance Corporation, Assignor to First Southwestern Financial Services c/o Walter Weir, Jr., Esquire Weir & Partners LLP The Widener Building, Suite 500 1339 Chestnut Street Philadelphia, PA 19107

Remit Corporation 36 West Main Street Bloomsburg, PA 17815

Tax Claim Bureau 35 West Main Street Bloomsburg, PA 17815

Assessment Office 35 West Main Street Bloomsburg, PA 17815 Mary Ward Tax Collector of Bloomsburg Town Hall 301 E. Second Street Bloomsburg, PA 17815-1870

Bloomsburg Municipal Authority Town Hall 301 E. Second Street Bloomsburg, PA 17815-1870 WEIR & PARTNERS LLP By: Walter Weir, Jr., Esquire Attorney Id. No. 23127 The Widener Building, Suite 500 1339 Chestnut Street Philadelphia, PA 19107 (215) 665-8181

Attorney for Plaintiff

FIRST SOUTHWESTERN FINANCIAL SERVICES, as Assignee to C.D.B. Finance Corporation P.O. Box 487 Roy, UT 84067,

COURT OF COMMON PLEAS OF COLUMBIA COUNTY

Plaintiff,

vs.

NAOMA E. THOMAS a/k/a
NAOMI THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,
And
JOHN P. THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,

NO. 2005-CV-581 2007-ED-112

Defendants.

### AFFIDAVIT PURSUANT TO RULE 3129.1

First Southwestern Financial Services, Assignee to C.D.B. Finance Corporation, Plaintiff in the above action, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at: 427 East 3<sup>rd</sup> Street, Front and Rear, Bloomsburg, Pennsylvania, as more fully described as:

**Real Property at**: 427 East 3<sup>rd</sup> Street, Front, Bloomsburg, PA (Parcel 1) 427 East 3<sup>rd</sup> Street, Rear, Bloomsburg, PA (Parcel 2) 290651-1

## Description Parcel 1 No: 05E-03-393-01

**ALL THAT CERTAIN** piece or parcel of land situate in the Town of Bloomsburg, Columbia County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin at the Northwest corner of the intersection of East Third Street and an unnamed alley; THENCE along the Northern side of East Third Street, South 69 degrees 20 minutes 50 seconds West, 49.5 feet to an iron pin in line of lands now or formerly of John M. and Adilene W. Ralston; THENCE by the same, North 20 degrees 39 minutes 10 seconds West, 94.22 feet to an iron pin in other lands now or formerly of Pandora Enterprises, Inc.; THENCE by the same, North 69 degrees 20 minutes 50 seconds East, 49.5 feet to an iron pin on the Western side of the aforementioned alley; THENCE by the same, South 20 degrees 39 minutes 10 seconds East, 94.22 feet to the iron pin on the Northern side of East Third Street, the place of BEGINNING.

**BEING** the same premises which Pandora Enterprises, Inc., by its Deed dated August 29, 1973 and recorded in the Columbia County Court House in Deed Book 263, page 620, granted and conveyed unto Casper Frantz, Jr. and Rose E. Frantz, husband and wife.

## Description Parcel 2 No: 05E-03-393 (Rear)

**ALL THAT CERTAIN** piece or parcel land, situate on the north side of East Third Street in Synder Addition to the Town of Bloomsburg, Columbia County, Pennsylvania, bounded and described as follows, to wit:

**BEGINNING** at a point on the north side of East Third Street aforesaid, at a corner of land formerly of George B. Hunt, but now owned by Thomas Miller; thence northwardly along the same, 128 ½ feet to an alley; then eastwardly along said alley 49 ½ feet to another alley; thence southwardly along said alley, 128 ½ feet to a corner at East Third Street; and thence westwardly along said street 49 ½ feet to a corner, the place of beginning. Erected thereon is a substantial house accommodation and additional improvements.

**EXCEPTING AND RESERVING** therefrom and thereout all that certain piece, parcel and lot of land situate in the Town of Bloomsburg County or Columbia and State of Pennsylvania, bounded and described as follows, to wit:

**BEGINNING** at an iron pin at the Northwest corner of the intersection of East Third Street and an unnamed alley; THENCE along the Northern side of East Third Street, South 69 degrees 20 minutes 50 seconds West, 49.5 feet to an 290651-1

iron pin in line of lands now or formerly of John M. and Adilene W. Ralston; THENCE by the same, North 20 degrees 39 minutes 10 seconds West, 94.22 feet to an iron pin in other lands now or formerly of Pandora Enterprises, Inc.; THENCE by the same, North 69 degrees 20 minutes 50 seconds East, 49.5 feet to an iron pin on the Western side of the aforementioned alley; THENCE by the same, South 20 degrees 39 minutes 10 seconds East, 94.22 feet to the iron pin on the Northern side of East Third Street, the place of BEGINNING.

**BEING A PORTION** of the same premises which Eugene H. Cromley and Thelma J. Cromley, his wife, by their deed dated December 22, 1965, and recorded in the Office of the Recorder of Deeds of Columbia County, Pennsylvania in Deed Book 230, page 700, granted and conveyed to Pandora Enterprises, Inc.

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

Name Address

Naomi Thomas 437 East 3<sup>rd</sup> Street

Bloomsburg, PA 17815

427 East 3<sup>rd</sup> Street Bloomsburg, PA 17815

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

Name Address

Naoma E. Thomas a/k/a

Naomi Thomas

437 East 3<sup>rd</sup> Street

Bloomsburg, PA 17815

427 East 3<sup>rd</sup> Street Bloomsburg, PA 17815

John P. Thomas

437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815

427 East 3<sup>rd</sup> Street 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:

Name Address

First Southwestern Financial Services, Assignee to C.D.B. Finance Corp.

P.O. Box 487 Roy, UT 84067

Remit Corporation

36 West Main Street Bloomsburg, PA 17815

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

Name Address

First Southwestern Financial Services, Assignee to C.D.B. Finance Corp.

P.O. Box 487 Roy, UT 84067

5. Name and address of every other person who has any record lien on the property:

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:

None.

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

Name Address

Mary Ward, Tax Collector Town Hall

301 E. Second Street Bloomsburg, PA 17815

290651-1

Tax Claim Bureau

35 West Main Street Bloomsburg, PA 17815

Assessment Office

35 West Main Street Bloomsburg, PA 17815

Bloomsburg Municipal Authority

Town Hall

301 E. Second Street Noomsburg, PA 17815

WEIR & PARTNERS L

BY:

Walter Weit Jr., Esquire

Attorney for Praintiff

Dated: September 11, 2007

Sworn to and Subscribed before me this What

of perper, 2007.

Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal Sharon L. Morris, Notary Public City Of Philadelphia, Philadelphia County My Commission Expires July 26, 2010

Mamber, Pennsylvania Association of Notaries

WEIR & PARTNERS LLP
By: Walter Weir, Jr., Esquire
Attorney Id. No. 23127
The Widener Building, Suite 500
1339 Chestnut Street
Philadelphia, PA 19107
(215) 665-8181

Attorney for Plaintiff

FIRST SOUTHWESTERN FINANCIAL SERVICES, as Assignee to C.D.B. Finance Corporation P.O. Box 487 Roy, UT 84067,

COURT OF COMMON PLEAS OF COLUMBIA COUNTY

Plaintiff,

vs.

NO. 2005-CV-581

NAOMA E. THOMAS a/k/a
NAOMI THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,
And
JOHN P. THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,

2001-ED-112

Defendants.

## AFFIDAVIT OF NON MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA

: SS.

COUNTY OF PHILADELPHIA

Walter Weir, Jr., Esquire, first having been duly affirmed according to law, deposes and says that to the best of his knowledge, information and belief, the above-named Defendants are not in or associated with the military or naval

services of the United States or its allies or otherwise within the provisions of the Soldier's and Sailor's Civil Relief Act of 1940, as amended.

WALTER WEIR, JR, ESOUIRE

Notary Public

COMMONWELL LOS PENNS Y LANDA STATES LAND LAND LOS PUBLIC CINVOIT PHINAS NOTATIVE PUBLIC CINVOIT PHINAS NOTATIVE PUBLIC WAS ASSOCIATION OF NOTATION Was INC. TO THE PROPERTY OF WEIR & PARTNERS LLP

By: Walter Weir, Jr., Esquire

Attorney Id. No. 23127

The Widener Building, Suite 500

1339 Chestnut Street

Philadelphia, PA 19107

(215) 665-8181

Attorney for Plaintiff

FIRST SOUTHWESTERN FINANCIAL

SERVICES, as Assignee to

C.D.B. Finance Corporation

P.O. Box 487

Roy, UT 84067,

COURT OF COMMON PLEAS OF COLUMBIA COUNTY

Plaintiff,

vs.

NO. 2005-CV-581

2007-ED 172

NAOMA E. THOMAS a/k/a NAOMI THOMAS

427 East 3rd Street

427 East 3<sup>rd</sup> Street

Bloomsburg, PA 17815,

And

JOHN P. THOMAS

427 East 3rd Street

Bloomsburg, PA 17815,

Defendants.

AFFIDAVIT OF WHEREABOUTS

COMMONWEALTH OF PENNSYLVANIA

: SS.

COUNTY OF PHILADELPHIA

Walter Weir, Jr., Esquire, first having been duly affirmed according to law, deposes and says:

The names of the Defendants are Naoma E. Thomas a/k/a Naomi Thomas and John P. Thomas and their last known address is 437 East 3<sup>rd</sup> 290651-1

Street, Bloomsburg, PA 17815 and 427 East 37 Street, Bloomsburg, PA 17815.

WALTER WEIR, JR., ESQUIRE

Sworn to and Subscribed before me this I hay of COOM

Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notaria! Sea! Shanon L. Morris, Notary Public City Of Philadelphia, Philadelphia County My Commission Expires July 26, 2010

mber, Pennsylvania Association of Notaries

## TIMOTHY T. CHAMBERLAIN SHERIFF OF COLUMBIA COUNTY, PENNSYLVANIA

FIRST SOUTHWESTERN FINANCIAL

SERVICES, as Assignee to

C.D.B. Finance Corporation

P.O. Box 487

Roy, UT 84067,

Plaintiff,

vs.

NAOMA E. THOMAS a/k/a
NAOMI THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,
And
JOHN P. THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,

Defendants.

COURT OF COMMON PLEAS OF COLUMBIA COUNTY

NO. 2005-CV-581

2007-ED-172

### **WAIVER OF WATCHMAN**

I, Walter Weir, Jr., Esquire, do hereby state that any deputy sheriff levying upon or attaching any property under within the writ issued in the above-captioned matter may leave same without a watchman, in custody of whomever is found in possession, after notifying such person of such levy or attachment, without liability on the part of such Deputy Sheriff or Sheriff to

any plaintiff herein for any loss, destruction or removal of any such property

before the Sheriff's sale thereof.

WALTER WEIR, JA ESQUIRE

Weir & Partners LL

The Widener Building, Suite 500

1339 Chestnut Street

Philadelphia, PA 19107

(215) 665-8181

Attorneys for Plaintiff

Dated: September 11, 2007

WEIR & PARTNERS LLP By: Walter Weir, Jr., Esquire Attorney Id. No. 23127 The Widener Building, Suite 500 1339 Chestnut Street Philadelphia, PA 19107 (215) 665-8181

FIRST SOUTHWESTERN FINANCIAL SERVICES, as Assignee to C.D.B. Finance Corporation

P.O. Box 487 Roy, UT 84067,

Plaintiff,

VS.

NAOMA E. THOMAS a/k/a
NAOMI THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,
And
JOHN P. THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,

Defendants.

Attorney for Plaintiff

COURT OF COMMON PLEAS
OF COLUMBIA COUNTY

NO. 2005-CV-581

2001 ED-172

#### AFFIDAVIT PURSUANT TO RULE 3129.1

First Southwestern Financial Services, Assignee to C.D.B. Finance Corporation, Plaintiff in the above action, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at: 427 East 3<sup>rd</sup> Street, Front and Rear, Bloomsburg, Pennsylvania, as more fully described as:

Real Property at: 427 East 3<sup>rd</sup> Street, Front, Bloomsburg, PA (Parcel 1) 427 East 3<sup>rd</sup> Street, Rear, Bloomsburg, PA (Parcel 2)

290651-1

### Description Parcel 1 No: 05E-03-393-01

**ALL THAT CERTAIN** piece or parcel of land situate in the Town of Bloomsburg, Columbia County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin at the Northwest corner of the intersection of East Third Street and an unnamed alley; THENCE along the Northern side of East Third Street, South 69 degrees 20 minutes 50 seconds West, 49.5 feet to an iron pin in line of lands now or formerly of John M. and Adilene W. Ralston; THENCE by the same, North 20 degrees 39 minutes 10 seconds West, 94.22 feet to an iron pin in other lands now or formerly of Pandora Enterprises, Inc.; THENCE by the same, North 69 degrees 20 minutes 50 seconds East, 49.5 feet to an iron pin on the Western side of the aforementioned alley; THENCE by the same, South 20 degrees 39 minutes 10 seconds East, 94.22 feet to the iron pin on the Northern side of East Third Street, the place of BEGINNING.

**BEING** the same premises which Pandora Enterprises, Inc., by its Deed dated August 29, 1973 and recorded in the Columbia County Court House in Deed Book 263, page 620, granted and conveyed unto Casper Frantz, Jr. and Rose E. Frantz, husband and wife.

### Description Parcel 2 No: 05E-03-393 (Rear)

**ALL THAT CERTAIN** piece or parcel land, situate on the north side of East Third Street in Synder Addition to the Town of Bloomsburg, Columbia County, Pennsylvania, bounded and described as follows, to wit:

**BEGINNING** at a point on the north side of East Third Street aforesaid, at a corner of land formerly of George B. Hunt, but now owned by Thomas Miller; thence northwardly along the same, 128 ½ feet to an alley; then eastwardly along said alley 49 ½ feet to another alley; thence southwardly along said alley, 128 ½ feet to a corner at East Third Street; and thence westwardly along said street 49 ½ feet to a corner, the place of beginning. Erected thereon is a substantial house accommodation and additional improvements.

**EXCEPTING AND RESERVING** therefrom and thereout all that certain piece, parcel and lot of land situate in the Town of Bloomsburg County or Columbia and State of Pennsylvania, bounded and described as follows, to wit:

**BEGINNING** at an iron pin at the Northwest corner of the intersection of East Third Street and an unnamed alley; THENCE along the Northern side of East Third Street, South 69 degrees 20 minutes 50 seconds West, 49.5 feet to an 290651-1

iron pin in line of lands now or formerly of John M. and Adilene W. Ralston; THENCE by the same, North 20 degrees 39 minutes 10 seconds West, 94.22 feet to an iron pin in other lands now or formerly of Pandora Enterprises, Inc.; THENCE by the same, North 69 degrees 20 minutes 50 seconds East, 49.5 feet to an iron pin on the Western side of the aforementioned alley; THENCE by the same, South 20 degrees 39 minutes 10 seconds East, 94.22 feet to the iron pin on the Northern side of East Third Street, the place of BEGINNING.

**BEING A PORTION** of the same premises which Eugene H. Cromley and Thelma J. Cromley, his wife, by their deed dated December 22, 1965, and recorded in the Office of the Recorder of Deeds of Columbia County, Pennsylvania in Deed Book 230, page 700, granted and conveyed to Pandora Enterprises, Inc.

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

Name Address

Naomi Thomas 437 East 3<sup>rd</sup> Street

Bloomsburg, PA 17815

427 East 3<sup>rd</sup> Street Bloomsburg, PA 17815

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

Name Address

Naoma E. Thomas a/k/a

Naomi Thomas

437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815

427 East 3<sup>rd</sup> Street Bloomsburg, PA 17815

John P. Thomas 437 East 3rd Street
Bloomsburg, PA 17815

427 East 3<sup>rd</sup> Street 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:

Name Address

First Southwestern Financial Services, Assignee to C.D.B. Finance Corp.

P.O. Box 487 Roy, UT 84067

Remit Corporation

36 West Main Street Bloomsburg, PA 17815

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

Name Address

First Southwestern Financial Services, Assignee to C.D.B. Finance Corp.

P.O. Box 487 Roy, UT 84067

5. Name and address of every other person who has any record lien on the property:

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:

None.

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

Name Address

Mary Ward, Tax Collector Town Hall

301 E. Second Street Bloomsburg, PA 17815

290651-1

Tax Claim Bureau

35 West Main Street Bloomsburg, PA 17815

Assessment Office

35 West Main Street Bloomsburg, PA 17815

Bloomsburg Municipal Authority

Town Hall 301 E. Second Street

Bloomsburg, PA 17815

WEIR & PARTNERS

/\ X

BY:

Walter Weir Jr., Esquire

Attorney for Plaintin

Dated: September 11, 2007

Sworn to and Subscribed before me this Who day

of September, 2007.

Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal Sharon L. Morris, Notary Public City Of Philadelphia, Philadelphia County My Commission Expires July 26, 2010

Member, Pennsylvania Association of Notaries

#### EXHIBIT "B"

Naoma E. Thomas a/k/a Naomi Thomas 437 East 3<sup>rd</sup> Street Bloomsburg, PA 17815 and 427 East 3<sup>rd</sup> Street Bloomsburg, PA 17815

John P. Thomas 437 East 3<sup>rd</sup> Street Bloomsburg, PA 17815 and 427 East 3<sup>rd</sup> Street Bloomsburg, PA 17815

First Southwestern Financial Services c/o Walter Weir, Jr., Esquire Weir & Partners LLP The Widener Building, Suite 500 1339 Chestnut Street Philadelphia, PA 19107

CDB Finance Corporation, Assignor to First Southwestern Financial Services c/o Walter Weir, Jr., Esquire Weir & Partners LLP The Widener Building, Suite 500 1339 Chestnut Street Philadelphia, PA 19107

Remit Corporation 36 West Main Street Bloomsburg, PA 17815

Tax Claim Bureau 35 West Main Street Bloomsburg, PA 17815

Assessment Office 35 West Main Street Bloomsburg, PA 17815 Mary Ward Tax Collector of Bloomsburg Town Hall 301 E. Second Street Bloomsburg, PA 17815-1870

Bloomsburg Municipal Authority Town Hall 301 E. Second Street Bloomsburg, PA 17815-1870 WEIR & PARTNERS LLP

By: Walter Weir, Jr., Esquire

Attorney Id. No. 23127

The Widener Building, Suite 500

1339 Chestnut Street

Philadelphia, PA 19107 (215) 665-8181

FIRST SOUTHWESTERN FINANCIAL

SERVICES, as Assignee to

C.D.B. Finance Corporation

P.O. Box 487

Roy, UT 84067,

Plaintiff,

VS.

NAOMA E. THOMAS a/k/a NAOMI THOMAS 437 East 3<sup>rd</sup> Street Bloomsburg, PA 17815.

And

JOHN P. THOMAS

437 East 3rd Street

Bloomsburg, PA 17815,

Defendants.

Attorney for Plaintiff

COURT OF COMMON PLEAS OF COLUMBIA COUNTY

NO. 2005-CV-581

2007-ED-172

AFFIDAVIT OF NON MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA

: SS.

COUNTY OF PHILADELPHIA

Walter Weir, Jr., Esquire, first having been duly affirmed according to law, deposes and says that to the best of his knowledge, information and belief, the above-named Defendants are not in or associated with the military or naval

services of the United States or its allies or otherwise within the provisions of the Soldier's and Sailor's Civil Relief Act of 1940, as amended.

WALTER WEIR, JR, ESOUIRE

Sworn to and Subscribed before me this | | day of \( \) ( \) \( \)

Notary Public

COMMONWEAUTH OF BENNSYLVANIA

Notation Section of Notation

Sharest L. Maries, Notary Public

Ony Off Philadelphia, Philadelphia Coupty

Micannissists Expires July 26, 2014

Member, Permissivania Association of Notaries

WEIR & PARTNERS LLP By: Walter Weir, Jr., Esquire Attorney Id. No. 23127 The Widener Building, Suite 500 1339 Chestnut Street Philadelphia, PA 19107 (215) 665-8181

Attorney for Plaintiff

FIRST SOUTHWESTERN FINANCIAL SERVICES, as Assignee to C.D.B. Finance Corporation P.O. Box 487 Roy, UT 84067,

COURT OF COMMON PLEAS OF COLUMBIA COUNTY

2007-ED 172

Plaintiff,

VS.

NO. 2005-CV-581

NAOMA E. THOMAS a/k/a
NAOMI THOMAS
427 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,
And
JOHN P. THOMAS
427 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,

Defendants.

AFFIDAVIT OF WHEREABOUTS

COMMONWEALTH OF PENNSYLVANIA

: SS.

COUNTY OF PHILADELPHIA

Walter Weir, Jr., Esquire, first having been duly affirmed according to law, deposes and says:

The names of the Defendants are Naoma E. Thomas a/k/a Naomi Thomas and John P. Thomas and their last known address is 437 East 3<sup>rd</sup> 290651-1

Street, Bloomsburg, PA 17815 and 427 East 37 Street, Bloomsburg, PA 17815.

WALTER WEIR, JR., ESQUIRE

Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal Sharen L. Morris, Notary Public City Of Philadelphia, Philadelphia County My Commission Expires July 26, 2010

mber, Pennsylvania Association of Notaries

## TIMOTHY T. CHAMBERLAIN SHERIFF OF COLUMBIA COUNTY, PENNSYLVANIA

FIRST SOUTHWESTERN FINANCIAL

SERVICES, as Assignee to

C.D.B. Finance Corporation

P.O. Box 487

Roy, UT 84067,

COURT OF COMMON PLEAS
OF COLUMBIA COUNTY

Plaintiff.

vs.

NAOMA E. THOMAS a/k/a
NAOMI THOMAS
437 East 3<sup>rd</sup> Street
Bloomsburg, PA 17815,
And
JOHN P. THOMAS
437 East 3<sup>rd</sup> Street

Bloomsburg, PA 17815,

Defendants.

NO. 2005-CV-581

2007-ED-172

#### **WAIVER OF WATCHMAN**

I, Walter Weir, Jr., Esquire, do hereby state that any deputy sheriff levying upon or attaching any property under within the writ issued in the above-captioned matter may leave same without a watchman, in custody of whomever is found in possession, after notifying such person of such levy or attachment, without liability on the part of such Deputy Sheriff or Sheriff to

any plaintiff herein for any loss, destruction or removal of any such property

before the Sheriff's sale thereof.

WALTER WEIR, JE ESQUIRE

Weir & Partners LLP

The Widener Building, Suite 500

1339 Chestnut Street

Philadelphia, PA 19107

(215) 665-8181

Attorneys for Plaintiff

Dated: September 11, 2007

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

SOVEREIGN BANK 60-7166/2313

*;*1

43888

WEIR & PARTNERS LLP
THE WIDENER BUILDING
1339 CHESTNUT STREET
SUITE 500

PHILADELPHIA, PA 19107

TO THE ORDEN OF

One thousand three hundred fifty and NO/100

VOID AFTER 120 DAYS

09/13/2007

E SECURITY FEATURES INCLUDED. DETAILS ON BACK. 1

"043888"



PHONE (570) 389-5622 SHERIFF OF COLUMBIA COUNTY COURT HOUSE - P.O. BOX 380 BLOOMSBURG, PA 17815 FAX: (570) 389-5625

24 HOUR PHONE (570) 784-6300

## SHERIFF'S SALE COST SHEET

First Southwestern SUCVS NO. 172-07 ED NO. 581-05 J	1 A Jama	+ John	Thomas	
NO. 178-67 ED NO. 58/-05 J	D DATE/TIM	1E OF SALE	Sternach	
DOCKET/RETURN	\$15.00			
SERVICE PER DEF.	\$ 165,00			
LEVY (PER PARCEL	\$15.00			
MAILING COSTS	\$ 24,50			
ADVERTISING SALE BILLS & COPIES	\$17.50			
ADVERTISING SALE (NEWSPAPER)	\$15.00			
MILEAGE	\$ 6,00			
POSTING HANDBILL	\$15.00			
CRYING/ADJOURN SALE	\$10.00			
SHERIFF'S DEED	\$35.00			
TRANSFER TAX FORM	\$25.00			
DISTRIBUTION FORM	\$ <del>25.00</del>			
COPIES	\$ 5,50			
NOTARY	\$ 15,00	7. 7		
TOTAL ********	*****	\$ 303,50		
WEB POSTING	<b>#1 #</b> 0 00			
	\$150.00			
PRESS ENTERPRISE INC.	\$ <u>1182.69</u>			
SOLICITOR'S SERVICES	<del>\$75:0</del> 0	1223 60		
TOTAL ********	*********	\$ /332,69		
PROTHONOTARY (NOTARY)	Ф10 <del>-00</del> -			
RECORDER OF DEEDS	\$10.00			
<del>-</del>	5	· O		
TOTAL ********	*****	\$		
REAL ESTATE TAXES:				
	rt.			
BORO, TWP & COUNTY 20 SCHOOL DIST. 20	\$			
	\$			
DELINQUENT 20	\$ 10,00	~ /0 mg		
TOTAL *********	*****	\$ 10.00		
MUNICIPAL FEES DUE:				
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WATER 20	Ф			
WATER 20 TOTAL ************************************	>*********	e - 0 -		
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SURCHARGE FEE (DSTE)		\$ 120,00		
MISC	\$	Ψ		
	\$			
TOTAL ********	******	\$_ <del>-</del>		
TOTAL GOODS (CO.			12/C	
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