

# SHERIFF'S SALE

Wednesday, February 6th, 2008 at 11:00 A.M.

BY VIRTUE OF WRIT OF EXECUTION NO. 205ED2007 AND CIVIL WRIT NO. 127JD2007 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 in 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 81degrees 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 6/28/1990 and last revised 8/23/1990.

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 AFORESAID 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 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 of a uniform width of 50 feet, the centerline of which is described as beginning at a point in the centerline of Township Route 346, thence westerly South 81 degrees 42 minutes 11 seconds West, 577.64 feet to a point at the southerly line of the premises hereinbefore described. Said right-of-way as more fully describe 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 building shall consist of brick, stone, aluminum or vinyl siding frame weatherboard construction or a combination thereof. Further subdivision of the lot is prohibited unless approved by Hemlock Township Planning Commission of 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 or garbage, refuse, junk, more than one disabled vehicle and any other unsightly or unsanitary accumulation.
- 5.That upon the crection of a dwelling house upon the premises a sewage disposal system shall be installed which shall be in conform[ity] 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 exceptions 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.

BEING THE SAME PREMISES which Frank Mendicino, single, by Deed dated July 25, 2006 and recorded on July 25, 2006 in the

Office of the Recorder of Deeds in and for Columbia County in Deed Book Volume 2006, Page 07528, granted and conveyed unto Pietro Pugliese.

BEING KNOWN AS 40 Pony Trail Drive, Bloomsburg, PA 17815.

BEING TAX PARCEL NO. 18-07-004-06.

### **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 in 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 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 the bidder will be considered forfeited, but will be applied against any damages recoverable. The defalting 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, Esquire  
123 S. Broad St. Suite 2080  
Philadelphia, PA 19109

Sheriff of Columbia County  
Timothy T. Chamberlain  
<http://www.sheriffofcolumbiacounty.com/>

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

Citibank, N.A., as Trustee for Chase Manhattan  
Mortgage 03-1

Plaintiff

v.

Frank Mendicino and Pietro Pugliese

Defendants

IN THE COURT OF COMMON PLEAS OF  
COLUMBIA COUNTY, PENNSYLVANIA

NO. 2007 CV 127 MF

NO. 2007-ED-205

Commonwealth of Pennsylvania:  
County of Columbia:

TO THE SHERIFF OF COLUMBIA COUNTY, PENNSYLVANIA:

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

All real property and improvements thereon located at:  
40 Pony Trail Drive, Hemlock Township, Bloomsburg, PA 17815  
Improvements consisting of a Residential Dwelling.

Debt	\$	177459.13
Interest from 02/27/2007 to DATE OF SALE	\$	
@ \$29.17 per diem		
Costs	\$	
Total Due	\$	(plus costs as endorsed)

Dated 12-26-07

Tamara B. Kline  
Prothonotary, Common Pleas Court of  
Columbia County, Pennsylvania

Dated: 12-26-07  
(SEAL)

By: Barbara J. Silvestri  
Deputy Clk

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

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Dated 10-26-07

Thomas B. Kline  
Prothonotary, Common Pleas Court of  
Columbia County, Pennsylvania

Dated: 10-26-07  
(SEAL)

By: Barbara N. Zolovetter  
Deputy Clerk

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

**BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496**  
**MARC S. WEISBERG, ESQUIRE - ID # 17616**  
**EDWARD D. CONWAY, ESQUIRE - ID # 34687**  
**MARGARET GAIRO, ESQUIRE - ID # 34419**  
**FRANK DUBIN, ESQUIRE - ID # 19280**  
**BONNIE DAHL, ESQUIRE - ID # 79294**  
**ANDREW L. MARKOWITZ, ESQUIRE - ID # 28009**

**123 South Broad Street, Suite 2080**  
**Philadelphia, Pennsylvania 19109**  
**(215) 790-1010**

**Attorneys for Plaintiff**

Citibank, N.A., as Trustee for Chase Manhattan  
Mortgage 03-1

Plaintiff

v.

Frank Mendicino and Pietro Pugliese  
Defendants

**COURT OF COMMON PLEAS**  
**COLUMBIA COUNTY**

**Number 2007 CV 127 MF**

**AFFIDAVIT PURSUANT TO RULE 3129**

I, Andrew L. Markowitz, 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 Trail Drive, Hemlock Township, Bloomsburg, PA 17815, a copy of the description of said property is attached hereto and marked Exhibit "A".

1. Name and address of Owners or Reputed Owners:

Name	Address
Frank Mendicino	40 Pony Trail Drive Bloomsburg, PA 17815
Pietro Pugliese	40 Pony Trail Drive Bloomsburg, PA 17815

2. Name and address of Defendants in the judgment:

Name	Address
Frank Mendicino	40 Pony Trail Drive Bloomsburg, PA 17815
Pietro Pugliese	40 Pony Trail 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:

Name	Address
Evans Disposal Service	341 Mainsville Drive Bloomsburg, PA 17815
Denise Yannone	2555 Old Berwick Road Bloomsburg, PA 17815

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

Name	Address
Salvatore Salamone and Vincenza Salamone	3 Widow Lane Bloomsburg, PA 17815

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

Name	Address
None.	

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

Name	Address
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
Tenants	40 Pony Trail Drive Bloomsburg, PA 17815
Commonwealth of PA Department of Public Welfare	P.O. Box 2675 Harrisburg, PA 17105
Domestic Relations Columbia County	700 Sawmill Road Bloomsburg, PA 17815
Commonwealth of Pennsylvania Inheritance Tax Office	1400 Spring Garden Street Philadelphia, PA 19130

Commonwealth of Pennsylvania  
Bureau of Individual Tax  
Inheritance Tax Division

6th Floor, Strawberry Square  
Department #280601  
Harrisburg, PA 17128

Department of Public Welfare  
TPL Casualty Unit Estate  
Recovery Program

Willow Oak Building  
P.O. Box 8486  
Harrisburg, PA 17105-8486

Internal Revenue Service  
Technical Support Group

William Green Federal Bldg.  
Room 3259, 600 Arch Street  
Philadelphia, PA 19106

United States of America  
c/o U.S. Attorney for the Middle  
District of PA

235 North Washington Street  
Scranton, PA 18503

Commonwealth of Pennsylvania,  
Dept. of Revenue, Bureau of  
Compliance, Clearance Support

Dept. 281230  
Harrisburg, PA 17128,  
ATTN: Sheriff Sales

Frank C. Baker, Esquire  
Attorney for Defendant(s)

6009 Columbia Blvd.  
Bloomsburg, PA 17815

Michael G. Oleyar, Esquire  
Attorney for Frank Mendocino

1261 North Church Street  
Hazleton, PA 18202

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.

**DATE: October 25, 2007**

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

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

**Attorneys for Plaintiff**

**TERRENCE J. McCABE, ESQUIRE**

**MARC S. WEISBERG, ESQUIRE**

**EDWARD D. CONWAY, ESQUIRE**

**MARGARET GAIRO, ESQUIRE**

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**ANDREW L. MARKOWITZ, ESQUIRE - ID # 28009**

**Attorneys for Plaintiff**

**123 South Broad Street, Suite 2080**  
**Philadelphia, Pennsylvania 19109**  
**(215) 790-1010**

**Citibank, N.A., as Trustee for Chase Manhattan**  
**Mortgage 03-1**

**Plaintiff**

**v.**

**Frank Mendicino and Pietro Pugliese**  
**Defendants**

**COURT OF COMMON PLEAS**  
**COLUMBIA COUNTY**

**Number 2007 CV 127 MF**

**CERTIFICATE**

Andrew L. Markowitz, Esquire hereby states that he is the attorney for the Plaintiff in the above-captioned matter and that the property is not subject to the provisions of Act 91 because it is:

- ☐ An FHA insured mortgage
- ☐ Non-owner occupied
- ☐ Vacant
- ☒ Act 91 procedures have been fulfilled.

This certification is made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

**DATE:           October 25, 2007**

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

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

**Attorneys for Plaintiff**  
**TERRENCE J. McCABE, ESQUIRE**  
**MARC S. WEISBERG, ESQUIRE**  
**EDWARD D. CONWAY, ESQUIRE**  
**MARGARET GAIRO, ESQUIRE**  
**FRANK DUBIN, ESQUIRE**  
**BONNIE DAHL, ESQUIRE**  
**ANDREW L. MARKOWITZ, ESQUIRE**



TERRENCE J. McCABE\*\*\*  
MARC S. WEISBERG\*\*  
EDWARD D. CONWAY  
MARGARET GAIRO  
LISA L. WALLACE††  
BRENDA L. BROGDON\*  
MICHELLE M. MONTE^^  
FRANK DUBIN  
ANDREW L. MARKOWITZ  
KATHIERINE SANTANGINI\*  
BONNIE DAHL\*  
ANGELA M. MICHAEL-  
SCOTT TAGGART\*  
DEBORAH K. CURRAN+  
LAURA H.G. O'SULLIVAN±  
STEPHANIE H. HURLEY\*\*  
JASON BROOKS^

LAW OFFICES  
**McCABE, WEISBERG & CONWAY, P.C.**  
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 401  
145 HUGUENOT STREET  
NEW ROCHELLE, NY 10801  
(914)-636-8900  
FAX (914)-636-8901  
Also servicing Connecticut

SUITE 302  
8101 SANDY SPRING ROAD  
LAUREL, MD 20707  
(301) 490-3361  
FAX (301) 490-1568  
Also servicing the District of Columbia  
and Virginia

Of Counsel  
PITNICK & MARGOLIN, LLP^ - NY  
DEBORAH K. CURRAN\* - MD & DC  
LAURA H.G. O'SULLIVAN\* - MD & DC  
STEPHANIE H. HURLEY\*\* - MD  
JOSEPH F. RIGA\* - PA & NJ

\* Licensed in PA & NJ  
\*\* Licensed in PA & NY  
^ Licensed in NY  
^^ Licensed in NJ  
- Licensed in PA & WA  
\*\*\* Licensed in PA, NJ & NY  
† Licensed in NY & CT  
+ Licensed in MD & DC  
± Licensed in MD  
- Managing Attorney for NY  
- Managing Attorney for MD

October 25, 2007

Sheriff's Office  
Columbia County Courthouse  
35 West Main Street  
Bloomsburg, PA 17815

Re: Citibank, N.A., as Trustee for Chase Manhattan Mortgage 03-1  
vs. Frank Mendicino and Pietro Pugliese  
CCP, Columbia County, Number 2007 CV 127 MF  
Premises: 40 Pony Trail Drive, Hemlock Township, Bloomsburg, PA 17815

Dear Sir or Madam:

Enclosed please find 6 copies of Notice of Sheriff's Sale of Real Estate Pursuant to  
PA.R.C.P. 3129 relative to the above matter. I would appreciate your serving the Notice upon the  
Defendants as follows:

Frank Mendicino  
40 Pony Trail Drive  
Bloomsburg, PA 17815

Pietro Pugliese  
40 Pony Trail Drive  
Bloomsburg, PA 17815

Kindly advise our office as soon as a sale date has been assigned. Also, -after service has  
been completed, kindly forward to our office, in the enclosed, self-addressed, stamped envelope,  
an affidavit indicating same. Your assistance is most appreciated.

Very truly yours,

ALM/sma  
Enclosures

Andrew L. Markowitz, Esquire  
McCabe, Weisberg and Conway, P.C.

*This is a communication from a debt collector.  
This letter may be an attempt to collect a debt and any information obtained will be used for that purpose.*

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

**BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496**

**Attorneys for Plaintiff**

**MARC S. WEISBERG, ESQUIRE - ID # 17616**

**EDWARD D. CONWAY, ESQUIRE - ID # 34687**

**MARGARET GAIRO, ESQUIRE - ID # 34419**

**FRANK DUBIN, ESQUIRE - ID # 19280**

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**ANDREW L. MARKOWITZ, ESQUIRE - ID # 28009**

**123 South Broad Street, Suite 2080**

**Philadelphia, Pennsylvania 19109**

**(215) 790-1010**

**CIVIL ACTION LAW**

Citibank, N.A., as Trustee for Chase Manhattan  
Mortgage 03-1

Plaintiff

v.

Frank Mendicino and Pietro Pugliese  
Defendants

COURT OF COMMON PLEAS  
COLUMBIA COUNTY

Number 2007 CV 127 MF

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

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

Pietro Pugliese  
40 Pony Trail Drive  
Bloomsburg, PA 17815

Your house (real estate) at 40 Pony Trail Drive, Hemlock Township, Bloomsburg, PA 17815 is scheduled to be sold at Sheriff's Sale on **WEDNESDAY**, \_\_\_\_\_, at \_\_\_\_\_ .m. **Eastern Time**, in the Sheriff's Office of the Columbia County Courthouse, 35 West Main Street, Bloomsburg, PA 17815, to enforce the court judgment of \$177,459.13 obtained by Citibank, N.A., as Trustee for Chase Manhattan Mortgage 03-1 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 for Chase Manhattan Mortgage 03-1 the back payments, late charges, costs, and reasonable attorney's fees due. To find out how much you must pay, you may call McCabe, Weisberg and Conway, P.C. 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 McCabe, Weisberg and Conway, P.C. 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 McCabe, Weisberg and Conway, P.C. 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 thirty (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.**

**LAWYER REFERRAL SERVICE**

**North Penn Legal Services  
168 East 5th Street  
Bloomsburg, PA 17815  
570-784-8760**

**ASSOCIATION DE LICENCIADOS**

**North Penn Legal Services  
168 East 5th Street  
Bloomsburg, PA 17815  
570-784-8760**

## **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 Fifty (50) foot right-of-way; said iron in 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 Eighty-one (81) degrees Forty-two (42) minutes Eleven (11) seconds West, Eight Hundred Three and Six Hundredths (803.06) feet to an iron pin; Thence by lands now or late of Douglas and Peter Kuziak, North Eight (8) degrees Thirty-nine (39) minutes Eight (08) seconds East, Seven Hundred Thirty-six and Ninety-seven Hundredths (736.97) feet to a stone corner; Thence by the same South Eighty-one (81) degrees Forty-two (42) minutes Eleven (11) seconds East, Eight Hundred Three and Six Hundredths (803.06) feet to an iron pin; Thence by lands now or late of Frederick B. Vietig, South Eight (8) degrees Thirty-nine (39) minutes Eight (08) seconds West, Seven Hundred Thirty-six and Ninety-seven Hundredths (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 6/28/1990 and last revised 8/23/1990.

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 AFORESAID 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 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 of a uniform width of Fifty (50) feet, the centerline of which is described as beginning at a point in the centerline of Township Route 346, thence westerly South Eighty-one (81) degrees Forty-two (42) minutes Eleven (11) seconds West, Five Hundred Seventy-seven and Sixty-four Hundredths (577.64) feet to a point at the southerly line of the premises hereinbefore described. Said right-of-way as more fully describe 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 building shall consist of brick, stone, aluminum or vinyl siding frame weatherboard

construction or a combination thereof. Further subdivision of the lot is prohibited unless approved by Hemlock Township Planning Commission of 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 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[ity] 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 exceptions 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.

BEING THE SAME PREMISES which Frank Mendicino, single, by Deed dated July 25, 2006 and recorded on July 25, 2006 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book Volume 2006, Page 07528, granted and conveyed unto Pietro Pugliese.

BEING KNOWN AS 40 Pony Trail Drive, Bloomsburg, PA 17815.

BEING TAX PARCEL NO. 18-07-004-06.

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

**BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496**  
**MARC S. WEISBERG, ESQUIRE - ID # 17616**  
**EDWARD D. CONWAY, ESQUIRE - ID # 34687**  
**MARGARET GAIRO, ESQUIRE - ID # 34419**  
**FRANK DUBIN, ESQUIRE - ID # 19280**  
**BONNIE DAHL, ESQUIRE - ID # 79294**  
**ANDREW L. MARKOWITZ, ESQUIRE - ID # 28009**

**Attorneys for Plaintiff**

**123 South Broad Street, Suite 2080**  
**Philadelphia, Pennsylvania 19109**  
**(215) 790-1010**

**Citibank, N.A., as Trustee for Chase Manhattan**  
**Mortgage 03-1**

**Plaintiff**

**v.**

**Frank Mendicino and Pietro Pugliese**  
**Defendants**

**COURT OF COMMON PLEAS**  
**COLUMBIA COUNTY**

**No. 2007 CV 127 MF**

**NOTICE PURSUANT TO R.C.P. 3129.1 OF**  
**THE SUPREME COURT OF PENNSYLVANIA**

**TO THE FOLLOWING DEFENDANTS AND OWNERS:**

**FRANK MENDICINO and PIETRO PUGLIESE**

**THIS NOTICE IS GIVEN TO YOU AS OWNERS AND DEFENDANTS IN AN**  
**EXECUTION PROCEEDINGS BROUGHT BEFORE THE SHERIFF IN COLUMBIA COUNTY,**  
**PENNSYLVANIA, BY CITIBANK, N.A., AS TRUSTEE FOR CHASE MANHATTAN**  
**MORTGAGE 03-1, PLAINTIFF, RELATIVE TO THE FOLLOWING JUDGMENT AND**  
**EXECUTION NO. 15264153.**

**THE PROPERTY TOGETHER WITH ITS LOCATION AND IMPROVEMENTS ARE**  
**DESCRIBED IN EXHIBIT "A" ATTACHED TO THIS NOTICE; SAID PREMISES WILL BE**  
**OFFERED BY THE SHERIFF FOR SALE ACCORDING TO THE INFORMATION SET FORTH IN**  
**THIS NOTICE.**

**THE SHERIFF'S SALE OF PROPERTY WILL BE HELD**

**ON: WEDNESDAY,**

**AT: A.M. EASTERN TIME**

**IN: THE SHERIFF'S OFFICE OF THE COLUMBIA COUNTY COURTHOUSE,**  
**25 WEST MAIN STREET, COLUMBIA, PENNSYLVANIA 17815.**

**A SCHEDULE OF DISTRIBUTION WILL BE FILED BY THE SHERIFF ON**

**AND DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE SCHEDULE**  
**UNLESS EXCEPTIONS ARE FILED THERETO WITHIN TEN (10) DAYS FROM THE DATE OF**  
**THE FILING.**

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

**BY:**

**Attorneys for Plaintiff**

**ANDREW L. MARKOWITZ, ESQUIRE**

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

**BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496**

**Attorneys for Plaintiff**

**MARC S. WEISBERG, ESQUIRE - ID # 17616**

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**123 South Broad Street, Suite 2080**

**Philadelphia, Pennsylvania 19109**

**(215) 790-1010**

**Citibank, N.A., as Trustee for Chase Manhattan  
Mortgage 03-1**

**Plaintiff**

**v.**

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**Defendants**

**COURT OF COMMON PLEAS  
COLUMBIA COUNTY**

**No. 2007 CV 127 MF**

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PENNSYLVANIA, BY CITIBANK, N.A., AS TRUSTEE FOR CHASE MANHATTAN  
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EXECUTION NO. 15264153.**

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

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

**Attorneys for Plaintiff**

**ANDREW L. MARKOWITZ, ESQUIRE**

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

**BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496**

**Attorneys for Plaintiff**

**MARC S. WEISBERG, ESQUIRE - ID # 17616**

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**123 South Broad Street, Suite 2080**

**Philadelphia, Pennsylvania 19109**

**(215) 790-1010**

Citibank, N.A., as Trustee for Chase Manhattan  
Mortgage 03-1

Plaintiff

v.

Frank Mendicino and Pietro Pugliese

Defendants

**COURT OF COMMON PLEAS  
COLUMBIA COUNTY**

**No. 2007 CV 127 MF**

**NOTICE PURSUANT TO R.C.P. 3129.1 OF  
THE SUPREME COURT OF PENNSYLVANIA**

**TO THE FOLLOWING DEFENDANTS AND OWNERS:**

**FRANK MENDICINO and PIETRO PUGLIESE**

THIS NOTICE IS GIVEN TO YOU AS OWNERS AND DEFENDANTS IN AN EXECUTION PROCEEDINGS BROUGHT BEFORE THE SHERIFF IN COLUMBIA COUNTY, PENNSYLVANIA, BY CITIBANK, N.A., AS TRUSTEE FOR CHASE MANHATTAN MORTGAGE 03-1, PLAINTIFF, RELATIVE TO THE FOLLOWING JUDGMENT AND EXECUTION NO. 15264153.

THE PROPERTY TOGETHER WITH ITS LOCATION AND IMPROVEMENTS ARE DESCRIBED IN EXHIBIT "A" ATTACHED TO THIS NOTICE; SAID PREMISES WILL BE OFFERED BY THE SHERIFF FOR SALE ACCORDING TO THE INFORMATION SET FORTH IN THIS NOTICE.

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THE FILING.**

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

**BY:**

**Attorneys for Plaintiff**

**ANDREW L. MARKOWITZ, ESQUIRE**



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

**BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496**

**Attorneys for Plaintiff**

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**Citibank, N.A., as Trustee for Chase Manhattan  
Mortgage 03-1**

**Plaintiff**

**v.**

**Frank Mendicino and Pietro Pugliese**

**Defendants**

**COURT OF COMMON PLEAS  
COLUMBIA COUNTY**

**No. 2007 CV 127 MF**

**NOTICE PURSUANT TO R.C.P. 3129.1 OF  
THE SUPREME COURT OF PENNSYLVANIA**

**TO THE FOLLOWING DEFENDANTS AND OWNERS:**

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PENNSYLVANIA, BY CITIBANK, N.A., AS TRUSTEE FOR CHASE MANHATTAN  
MORTGAGE 03-1, PLAINTIFF, RELATIVE TO THE FOLLOWING JUDGMENT AND  
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**McCABE, WEISBERG, AND CONWAY, P.C.**

**BY:**

**Attorneys for Plaintiff**

**ANDREW L. MARKOWITZ, ESQUIRE**

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

**BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496**

**Attorneys for Plaintiff**

**MARC S. WEISBERG, ESQUIRE - ID # 17616**

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**Citibank, N.A., as Trustee for Chase Manhattan  
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**Plaintiff**

**v.**

**Frank Mendicino and Pietro Pugliese**

**Defendants**

**COURT OF COMMON PLEAS  
COLUMBIA COUNTY**

**No. 2007 CV 127 MF**

**NOTICE PURSUANT TO R.C.P. 3129.1 OF  
THE SUPREME COURT OF PENNSYLVANIA**

**TO THE FOLLOWING DEFENDANTS AND OWNERS:**

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

**BY:**

**Attorneys for Plaintiff**

**ANDREW L. MARKOWITZ, ESQUIRE**

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

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**MARC S. WEISBERG, ESQUIRE - ID # 17616**

**EDWARD D. CONWAY, ESQUIRE - ID # 34687**

**MARGARET GAIRO, ESQUIRE - ID # 34419**

**FRANK DUBIN, ESQUIRE - ID # 19280**

**BONNIE DAHL, ESQUIRE - ID # 79294**

**ANDREW L. MARKOWITZ, ESQUIRE - ID # 28009**

**123 South Broad Street, Suite 2080**

**Philadelphia, Pennsylvania 19109**

**(215) 790-1010**

**Citibank, N.A., as Trustee for Chase Manhattan  
Mortgage 03-1**

**Plaintiff**

**v.**

**Frank Mendicino and Pietro Pugliese**

**Defendants**

**COURT OF COMMON PLEAS  
COLUMBIA COUNTY**

**No. 2007 CV 127 MF**

**NOTICE PURSUANT TO R.C.P. 3129.1 OF  
THE SUPREME COURT OF PENNSYLVANIA**

**TO THE FOLLOWING DEFENDANTS AND OWNERS:**

**FRANK MENDICINO and PIETRO PUGLIESE**

**THIS NOTICE IS GIVEN TO YOU AS OWNERS AND DEFENDANTS IN AN  
EXECUTION PROCEEDINGS BROUGHT BEFORE THE SHERIFF IN COLUMBIA COUNTY,  
PENNSYLVANIA, BY CITIBANK, N.A., AS TRUSTEE FOR CHASE MANHATTAN  
MORTGAGE 03-1, PLAINTIFF, RELATIVE TO THE FOLLOWING JUDGMENT AND  
EXECUTION NO. 15264153.**

**THE PROPERTY TOGETHER WITH ITS LOCATION AND IMPROVEMENTS ARE  
DESCRIBED IN EXHIBIT "A" ATTACHED TO THIS NOTICE; SAID PREMISES WILL BE  
OFFERED BY THE SHERIFF FOR SALE ACCORDING TO THE INFORMATION SET FORTH IN  
THIS NOTICE.**

**THE SHERIFF'S SALE OF PROPERTY WILL BE HELD**

**ON: WEDNESDAY,**

**AT: A.M. EASTERN TIME**

**IN: THE SHERIFF'S OFFICE OF THE COLUMBIA COUNTY COURTHOUSE,  
25 WEST MAIN STREET, COLUMBIA, PENNSYLVANIA 17815.**

**A SCHEDULE OF DISTRIBUTION WILL BE FILED BY THE SHERIFF ON**

**AND DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE SCHEDULE  
UNLESS EXCEPTIONS ARE FILED THERETO WITHIN TEN (10) DAYS FROM THE DATE OF  
THE FILING.**

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

**BY:**

**Attorneys for Plaintiff**

**ANDREW L. MARKOWITZ, ESQUIRE**

## **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 Fifty (50) foot right-of-way; said iron in 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 Eighty-one (81) degrees Forty-two (42) minutes Eleven (11) seconds West, Eight Hundred Three and Six Hundredths (803.06) feet to an iron pin; Thence by lands now or late of Douglas and Peter Kuziak, North Eight (8) degrees Thirty-nine (39) minutes Eight (08) seconds East, Seven Hundred Thirty-six and Ninety-seven Hundredths (736.97) feet to a stone corner; Thence by the same South Eighty-one (81) degrees Forty-two (42) minutes Eleven (11) seconds East, Eight Hundred Three and Six Hundredths (803.06) feet to an iron pin; Thence by lands now or late of Frederick B. Vietig, South Eight (8) degrees Thirty-nine (39) minutes Eight (08) seconds West, Seven Hundred Thirty-six and Ninety-seven Hundredths (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 6/28/1990 and last revised 8/23/1990.

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 AFORESAID 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 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 of a uniform width of Fifty (50) feet, the centerline of which is described as beginning at a point in the centerline of Township Route 346, thence westerly South Eighty-one (81) degrees Forty-two (42) minutes Eleven (11) seconds West, Five Hundred Seventy-seven and Sixty-four Hundredths (577.64) feet to a point at the southerly line of the premises hereinbefore described. Said right-of-way as more fully describe 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 building shall consist of brick, stone, aluminum or vinyl siding frame weatherboard

construction or a combination thereof. Further subdivision of the lot is prohibited unless approved by Hemlock Township Planning Commission of 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 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[ity] 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 exceptions 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.

BEING THE SAME PREMISES which Frank Mendicino, single, by Deed dated July 25, 2006 and recorded on July 25, 2006 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book Volume 2006, Page 07528, granted and conveyed unto Pietro Pugliese.

BEING KNOWN AS 40 Pony Trail Drive, Bloomsburg, PA 17815.

BEING TAX PARCEL NO. 18-07-004-06.

## **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 Fifty (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 Eighty-one (81) degrees Forty-two (42) minutes Eleven (11) seconds West, Eight Hundred Three and Six Hundredths (803.06) feet to an iron pin; Thence by lands now or late of Douglas and Peter Kuziak, North Eight (8) degrees Thirty-nine (39) minutes Eight (08) seconds East, Seven Hundred Thirty-six and Ninety-seven Hundredths (736.97) feet to a stone corner; Thence by the same South Eighty-one (81) degrees Forty-two (42) minutes Eleven (11) seconds East, Eight Hundred Three and Six Hundredths (803.06) feet to an iron pin; Thence by lands now or late of Frederick B. Vietig, South Eight (8) degrees Thirty-nine (39) minutes Eight (08) seconds West, Seven Hundred Thirty-six and Ninety-seven Hundredths (736.97) feet to the place of BEGINNING.

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THE AFORESAID 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.

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### **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 building shall consist of brick, stone, aluminum or vinyl siding frame weatherboard

construction or a combination thereof. Further subdivision of the lot is prohibited unless approved by Hemlock Township Planning Commission of 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.
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BEING KNOWN AS 40 Pony Trail Drive, Bloomsburg, PA 17815.

BEING TAX PARCEL NO. 18-07-004-06.

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BEING KNOWN AS 40 Pony Trail Drive, Bloomsburg, PA 17815.

BEING TAX PARCEL NO. 18-07-004-06.

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

**BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496**

**MARC S. WEISBERG, ESQUIRE - ID # 17616**

**EDWARD D. CONWAY, ESQUIRE - ID # 34687**

**MARGARET GAIRO, ESQUIRE - ID # 34419**

**FRANK DUBIN, ESQUIRE - ID # 19280**

**BONNIE DAHL, ESQUIRE - ID # 79294**

**ANDREW L. MARKOWITZ, ESQUIRE - ID # 28009**

**123 South Broad Street, Suite 2080**

**Philadelphia, Pennsylvania 19109**

**(215) 790-1010**

**Attorneys for Plaintiff**

Citibank, N.A., as Trustee for Chase Manhattan  
Mortgage 03-1

Plaintiff

v.

Frank Mendicino and Pietro Pugliese  
Defendants

COURT OF COMMON PLEAS  
COLUMBIA COUNTY

Number 2007 CV 127 MF

**AFFIDAVIT PURSUANT TO RULE 3129**

I, Andrew L. Markowitz, 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 Trail Drive, Hemlock Township, Bloomsburg, PA 17815, a copy of the description of said property is attached hereto and marked Exhibit "A".

1. Name and address of Owners or Reputed Owners:

Name	Address
Frank Mendicino	40 Pony Trail Drive Bloomsburg, PA 17815
Pietro Pugliese	40 Pony Trail Drive Bloomsburg, PA 17815

2. Name and address of Defendants in the judgment:

Name	Address
Frank Mendicino	40 Pony Trail Drive Bloomsburg, PA 17815
Pietro Pugliese	40 Pony Trail 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:

Name	Address
Evans Disposal Service	341 Mainsville Drive Bloomsburg, PA 17815
Denise Yannone	2555 Old Berwick Road Bloomsburg, PA 17815

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

Name	Address
Salvatore Salamone and Vincenza Salamone	3 Widow Lane Bloomsburg, PA 17815

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

Name	Address
None.	

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

Name	Address
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
Tenants	40 Pony Trail Drive Bloomsburg, PA 17815
Commonwealth of PA Department of Public Welfare	P.O. Box 2675 Harrisburg, PA 17105
Domestic Relations Columbia County	700 Sawmill Road Bloomsburg, PA 17815
Commonwealth of Pennsylvania Inheritance Tax Office	1400 Spring Garden Street Philadelphia, PA 19130

Commonwealth of Pennsylvania  
Bureau of Individual Tax  
Inheritance Tax Division

6th Floor, Strawberry Square  
Department #280601  
Harrisburg, PA 17128

Department of Public Welfare  
TPL Casualty Unit Estate  
Recovery Program

Willow Oak Building  
P.O. Box 8486  
Harrisburg, PA 17105-8486

Internal Revenue Service  
Technical Support Group

William Green Federal Bldg.  
Room 3259, 600 Arch Street  
Philadelphia, PA 19106

United States of America  
c/o U.S. Attorney for the Middle  
District of PA

235 North Washington Street  
Scranton, PA 18503

Commonwealth of Pennsylvania,  
Dept. of Revenue, Bureau of  
Compliance, Clearance Support

Dept. 281230  
Harrisburg, PA 17128,  
ATTN: Sheriff Sales

Frank C. Baker, Esquire  
Attorney for Defendant(s)

6009 Columbia Blvd.  
Bloomsburg, PA 17815

Michael G. Oleyar, Esquire  
Attorney for Frank Mendocino

1261 North Church Street  
Hazleton, PA 18202

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.

**DATE: October 25, 2007**

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

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

**Attorneys for Plaintiff**

**TERRENCE J. McCABE, ESQUIRE**

**MARC S. WEISBERG, ESQUIRE**

**EDWARD D. CONWAY, ESQUIRE**

**MARGARET GAIRO, ESQUIRE**

**FRANK DUBIN, ESQUIRE**

**BONNIE DAHL, ESQUIRE**

**ANDREW L. MARKOWITZ, ESQUIRE**



## **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 Fifty (50) foot right-of-way; said iron in 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 Eighty-one (81) degrees Forty-two (42) minutes Eleven (11) seconds West, Eight Hundred Three and Six Hundredths (803.06) feet to an iron pin; Thence by lands now or late of Douglas and Peter Kuziak, North Eight (8) degrees Thirty-nine (39) minutes Eight (08) seconds East, Seven Hundred Thirty-six and Ninety-seven Hundredths (736.97) feet to a stone corner; Thence by the same South Eighty-one (81) degrees Forty-two (42) minutes Eleven (11) seconds East, Eight Hundred Three and Six Hundredths (803.06) feet to an iron pin; Thence by lands now or late of Frederick B. Vietig, South Eight (8) degrees Thirty-nine (39) minutes Eight (08) seconds West, Seven Hundred Thirty-six and Ninety-seven Hundredths (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 6/28/1990 and last revised 8/23/1990.

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 AFORESAID 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 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 of a uniform width of Fifty (50) feet, the centerline of which is described as beginning at a point in the centerline of Township Route 346, thence westerly South Eighty-one (81) degrees Forty-two (42) minutes Eleven (11) seconds West, Five Hundred Seventy-seven and Sixty-four Hundredths (577.64) feet to a point at the southerly line of the premises hereinbefore described. Said right-of-way as more fully describe 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 building shall consist of brick, stone, aluminum or vinyl siding frame weatherboard

construction or a combination thereof. Further subdivision of the lot is prohibited unless approved by Hemlock Township Planning Commission of 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 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[ity] 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 exceptions 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.

BEING THE SAME PREMISES which Frank Mendicino, single, by Deed dated July 25, 2006 and recorded on July 25, 2006 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book Volume 2006, Page 07528, granted and conveyed unto Pietro Pugliese.

BEING KNOWN AS 40 Pony Trail Drive, Bloomsburg, PA 17815.

BEING TAX PARCEL NO. 18-07-004-06.

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

**BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496**

**MARC S. WEISBERG, ESQUIRE - ID # 17616**

**EDWARD D. CONWAY, ESQUIRE - ID # 34687**

**MARGARET GAIRO, ESQUIRE - ID # 34419**

**FRANK DUBIN, ESQUIRE - ID # 19280**

**BONNIE DAHL, ESQUIRE - ID # 79294**

**ANDREW L. MARKOWITZ, ESQUIRE - ID # 28009**

**123 South Broad Street, Suite 2080**

**Philadelphia, Pennsylvania 19109**

**(215) 790-1010**

**Attorneys for Plaintiff**

Citibank, N.A., as Trustee for Chase Manhattan  
Mortgage 03-1

Plaintiff

v.

Frank Mendicino and Pietro Pugliese  
Defendants

COURT OF COMMON PLEAS  
COLUMBIA COUNTY

Number 2007 CV 127 MF

**AFFIDAVIT PURSUANT TO RULE 3129**

I, Andrew L. Markowitz, 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 Trail Drive, Hemlock Township, Bloomsburg, PA 17815, a copy of the description of said property is attached hereto and marked Exhibit "A".

1. Name and address of Owners or Reputed Owners:

Name	Address
Frank Mendicino	40 Pony Trail Drive Bloomsburg, PA 17815
Pietro Pugliese	40 Pony Trail Drive Bloomsburg, PA 17815

2. Name and address of Defendants in the judgment:

Name	Address
Frank Mendicino	40 Pony Trail Drive Bloomsburg, PA 17815
Pietro Pugliese	40 Pony Trail 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:

Name	Address
Evans Disposal Service	341 Mainsville Drive Bloomsburg, PA 17815
Denise Yannone	2555 Old Berwick Road Bloomsburg, PA 17815

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

Name	Address
Salvatore Salamone and Vincenza Salamone	3 Widow Lane Bloomsburg, PA 17815

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

Name	Address
None.	

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

Name	Address
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
Tenants	40 Pony Trail Drive Bloomsburg, PA 17815
Commonwealth of PA Department of Public Welfare	P.O. Box 2675 Harrisburg, PA 17105
Domestic Relations Columbia County	700 Sawmill Road Bloomsburg, PA 17815
Commonwealth of Pennsylvania Inheritance Tax Office	1400 Spring Garden Street Philadelphia, PA 19130

Commonwealth of Pennsylvania  
Bureau of Individual Tax  
Inheritance Tax Division

6th Floor, Strawberry Square  
Department #280601  
Harrisburg, PA 17128

Department of Public Welfare  
TPL Casualty Unit Estate  
Recovery Program

Willow Oak Building  
P.O. Box 8486  
Harrisburg, PA 17105-8486

Internal Revenue Service  
Technical Support Group

William Green Federal Bldg.  
Room 3259, 600 Arch Street  
Philadelphia, PA 19106

United States of America  
c/o U.S. Attorney for the Middle  
District of PA

235 North Washington Street  
Scranton, PA 18503

Commonwealth of Pennsylvania,  
Dept. of Revenue, Bureau of  
Compliance, Clearance Support

Dept. 281230  
Harrisburg, PA 17128,  
ATTN: Sheriff Sales

Frank C. Baker, Esquire  
Attorney for Defendant(s)

6009 Columbia Blvd.  
Bloomsburg, PA 17815

Michael G. Oleyar, Esquire  
Attorney for Frank Mendocino

1261 North Church Street  
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**DATE: October 25, 2007**

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

**BY:** 

**Attorneys for Plaintiff**

**TERRENCE J. McCABE, ESQUIRE**

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**MARC S. WEISBERG, ESQUIRE - ID # 17616**  
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**Attorneys for Plaintiff**

**123 South Broad Street, Suite 2080**  
**Philadelphia, Pennsylvania 19109**  
**(215) 790-1010**

**Citibank, N.A., as Trustee for Chase Manhattan**  
**Mortgage 03-1**

**Plaintiff**

**v.**

**Frank Mendicino and Pietro Pugliese**  
**Defendants**

**COURT OF COMMON PLEAS**  
**COLUMBIA COUNTY**

**Number 2007 CV 127 MF**

**CERTIFICATE**

Andrew L. Markowitz, Esquire hereby states that he is the attorney for the Plaintiff in the above-captioned matter and that the property is not subject to the provisions of Act 91 because it is:

- ☐ An FHA insured mortgage
- ☐ Non-owner occupied
- ☐ Vacant
- ☒ Act 91 procedures have been fulfilled.

This certification is made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

**DATE: October 25, 2007**

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

**BY:** 

**Attorneys for Plaintiff**

**TERRENCE J. McCABE, ESQUIRE**  
**MARC S. WEISBERG, ESQUIRE**  
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**BONNIE DAHL, ESQUIRE**  
**ANDREW L. MARKOWITZ, ESQUIRE**



ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

5820

MCCABE, WEISBERG & CONWAY, P.C.

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



WACHOVIA

3-50/310

NUMBER

PAY: Two Thousand \*\*\*\*\*

00/100

DATE

Oct 25/2007

AMOUNT

\$2,000.00

TO THE  
ORDER  
OF

Sheriff of Columbia County

RE-Listing for Sheriff's Sale

ATTORNEY'S ACCOUNT  
VOID AFTER 90 DAYS

*Terence J. McCall*

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

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