1-61/201

### COLUMBIA COUNTY SHERIFF'S OFFICE

SHERIFF'S REAL ESTATE FINAL COST SHEET

Beneficial Cons Dis Co. V	s Gary + Dall	Mn Sherer
Beneficial Cons Dis Co. v NO. 31-07 ED	NO. 965-06	G JD
DATE/TIME OF SALE: May 2	0900	
BID PRICE (INCLUDES COST)  POUNDAGE – 2% OF BID	s_4/0500,00	_
POUNDAGE – 2% OF BID	s 8/0,00	_
TRANSFER TAX – 2% OF FAIR MKT	\$	-
MISC. COSTS	\$_250,00	-
TOTAL AMOUNT NEEDED TO PURCE	IASE	s 5759, 28
PURCHASER(S):		
ADDRESS:		
NAMES(S) ON DEED:		
PURCHASER(S) SIGNATURE(S):	Self	
<del>_</del>	ac Bertina	
TOTAL DUE:		s_5759,78_
LESS DEPOSIT:		\$ 5759.28 \$ 9,002.00 - from Exec, 145 FD 2006
DOWN PAYMENT:		\$
TOTAL <del>DUE IN O D</del> Refund	1	\$ 3742,72
• •		

### SHERIFF'S SALE COST SHEET

Berchard Gara Da. J. V.	S. (COSY & Dalyne Schere)  D DATE/TIME OF SALE	e
NO. 31-07 ED NO.965-06:	JD DATE/TIME OF SALE	· ·
DOCKET/RETURN		_
SERVICE PER DEF.	\$15.00	
LEVY (PER PARCEL	\$ 3 10 00	
MAILING COSTS	\$15.00	
ADVERTISING SALE BILLS & COPIES	\$ <u>중청왕으</u>	
	\$17.50	
ADVERTISING SALE (NEWSPAPER) MILEAGE	\$15.00	
POSTING HANDBILL	\$ 34,00	
CRYING/ADJOURN SALE	\$15.00	
SHERIFF'S DEED	\$10.00	
TRANSFER TAX FORM	\$35.00	
DISTRIBUTION FORM	\$25.00	
	\$25.00	
NOTARY	<b>→</b> // * * * * *	
ΤΟΤΔΙ *******	\$ // ^() \$ / () / () / () ************ \$ 5 5 5 / ()	
1017(L)	<u>3 3 3 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2</u>	
WEB POSTING	\$150.00	
PRESS ENTERPRISE INC.	\$ 74.772	
SOLICITOR'S SERVICES	\$75.00	
WEB POSTING PRESS ENTERPRISE INC. SOLICITOR'S SERVICES TOTAL ************************************	******** \$ ? \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	
PROTHONOTARY (NOTARY)	\$10.00	
RECORDER OF DEEDS	\$ 44,50	
PROTHONOTARY (NOTARY) RECORDER OF DEEDS TOTAL ************************************	*******	
REAL ESTATE TAXES:		
	· 0/7/12	
SCHOOL DIST 20	Φ <u></u>	
BORO, TWP & COUNTY 20 SCHOOL DIST. 20 DELINQUENT 20	\$ 31-61 UZ	
TOTAI *******	********** \$ <u></u>	
101112	9 12 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
MUNICIPAL FEES DUE:		
SEWER 20	\$	
WATER 20	\$	
TOTAL ********	\$ \$ ********* \$_ ^- ()	
SURCHARGE FEE (DSTE)	\$ 1900ac	
MISC	\$	
	\$ <u>*******</u> \$	
TOTAL ********	******	
TOTAL COORS (ORE	ARNIC PIPO	;-·.
TOTAL COSTS (OPE	ENING BID) $\$ 4/64$ , $\Im$	۷.

### COLUMBIA COUNTY SHERIFF'S OFFICE

SHERIFF'S REAL ESTATE FINAL COST SHEET

'S	WA WALL	do apple
NO	965-06	JD
0900		
<b>s</b>	10500,00	
\$	810,00	
\$	Supplied to	
\$	250,00	
HASE		s 5259, 28
	e/S	- 579
far	Bertica	
		\$ <u>5759,78</u>
		\$ 782.00 - from Enec.
Γ:		\$
		\$ 3742,72
	NO <i>C960</i> \$ \$ \$  HASE	\$ \(\frac{10500,60}{\$500,60} \) \$ \(\frac{8}{5000} \) \$ \(\frac{3}{5000} \) HASE

### LAW OFFICES McCABE, WEISBERG & CONWAY, P.C.

TERRENCE J. McCARE

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

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

SUITE 205 53 WEST 36 TREET NEW YORK, NY 10018 (917) 351-1188 FAX (917) 351-0363

May 7, 2007

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

Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Re:

Pennsylvania

VS.

Gary F. Scherer and Darlynn M. Scherer

Columbia County; Court of Common Pleas; No. 2006-CV-965

Premiscs: 1183 Bear Gap Road, Elysburg, PA, 17824

Date of Sheriff's Sale: May 2, 2007

Dear Sheriff Chamberlain:

Please be advised that title to this property should be transferred to Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania, 961 Weigel Drive, Elmhurst, IL 60126 in the deed poll.

If you are in need of any further information, please contact me. Thank you for your cooperation in this matter.

Very truly yours,

Novlett A. Smith

Legal Assistant

/nas

<u>Jim Micklow, Treasurer</u> being duly sworn according to law deposes and says that Press Enterprise is a newspaper of general circulation with its principal office and place of business at 3185 Lackawanna Avenue, Bloomsburg, County of Columbia and State of Pennsylvania, and was established on the 1st day of March, 1902, and has been published daily, continuously in said Town, County and State since that day and on the attached notice <u>April 11, 18 & 25, 2007</u> as printed and published; that the affiant is one of the officers or publisher or designated agent of the owner or publisher of said newspaper in which legal advertisement was published; that neither the affiant nor Press Enterprise is interested in the subject matter of said notice and advertisement and that all of the allegations in the foregoing statement as to time, place, and character of publication are true.

	James Mell-
Sworn and subscribed to before me the	nis day of PR. 2007
•	
N	Commonwealth OP Perinesylvania Notarial Seal  My commissive perinestelder, Notary Public Scott Twp., Columbia County My Commission Expires July 3, 2007  Member. Pennsylvania Association Of Notaries
And now,,	20, I hereby certify that the advertising and
publication charges amounting to \$	for publishing the foregoing notice, and the
fee for this affidavit have been paid in full	l.



24 HOUR PHONE (370) 784-4380

Tuesday, February 27, 2007

LINDA BILINSKI-TAX COLLECTOR 153 EISENHOWER ROAD CATAWISSA, PA 17820-

BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL MORTGAGE COMPANY OF PENNSYLVANIA VS GARY F. SCHERER AND DARLYNN M. SCHERER S/W

**DOCKET # 31ED2007** 

JD# 965JD2006

Dear Sir:

Enclosed is a notice of an upcoming Sheriff's Sale of the hour and the against this property, notify this office IMMEDIATELY

18,988

24,161

Please feel free to contact me with any questions th

Respectfully,

Tax Notice 2007 County & Municipality CLEVELAND TWP	FOR: COLUMBIA CO	OUNTY		DATE 03/01/2007		L NO. 5910
MAKE CHECKS PAYBLE TO:	DESCRIPTION	ASSESSMENT	MILLS	LESS DISCOUNT	AX AMOUNT DUI	INCL PENALTY
Linda Bilinski 153 EISENHOWER RD Catawissa PA 17820	GENERAL SINKING TWP RE	24,161	6.146 1.345 4	145.52 31.85 94.71	148.4! 32.5! 96.64	163.34 35.75 106.30
HOURS:MONDAY: 6 PM TO 9PM MARCH - MAY: SAVE YOUR SELF A TRIP & CALL FIRST FOR APPOINTMENT	The discount & penalty			272.08	277.6	305.39
PHONE:570-799-5591	have been calculated for your convenience	PAY THIS AM		April 30 if paid on or before	June 30 If paid on or before	June 30 If paid after
TAXES ARE DUF & PAYABLE - PROMPT PAYMENT IS	HEOUESTED	C	NIY T	WP	Th	tax returned to
TAXES ARE BUT & FATABLE THOUSE		Discount	2 %	2 %	col	rthouse on:
SCHERER GARY F & DARL 1183 BEAR GAP ROAD ELYSBURG PA 17824	YNN M	Penalty PARCEL: 13 1183 BEAR 0 .95 Acres	-01 -021-0 SAP RD	10 % 2,000 and	Je  5,173	µary 1, 2008

Buildings

Total Assessment

THIS TAX NOTICE MUST BE RETURNED WITH YOUR PAYMEN



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

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

BENEFICIAL CONSUMER DIS CO.

VS.

**GARY & DARLYNN SCHERER** 

WRIT OF EXECUTION #31 OF 2007 ED

### POSTING OF PROPERTY

March 27, 2007 POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE PROPERTY OF GARY & DARLYNN SCHERER. AT 1183 BEAR GAP ROAD ELYSBURG COLUMBIA COUNTY PENNSYLVANIA. SAID POSTING PERFORMED BY COLUMBIA COUNTY CHIEF DEPUTY SHERIFF JAMES ARTER.

SO ANSWERS:

HEROTA SHEKIRI

TIMOTHY T. CHAMBERLAIN

SHERIFF

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 27<sup>TH</sup>

DAY OF MARCH 2007

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal Wendy Westover, Notary Public Bloomsburg, Columbia Co., PA

Bloomsburg, Columbia Co., FA

Ay Commission Expires November 07, 2009



PHONE (570) 389-5622

24 HOUR PHONE (\$70) 784-6300

BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL MORTGAGE COMPANY OF PENNSYLVANIA

Docket # 31ED2007

VC

MORTGAGE FORECLOSURE

GARY F. SCHERER AND DARLYNN M. SCHERER S/W

### AFFIDAVIT OF SERVICE

NOW, THIS FRIDAY, MARCH 02, 2007, AT 9:10 AM, SERVED THE WITHIN MORTGAGE FORECLOSURE UPON GARY SCHERER AT 1183 BEAR GAP ROAD, ELYSBURG BY HANDING TO GARY SCHERER, , A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT AND MADE KNOWN TO THEM THE CONTENTS THEREOF.

SO ANSWERS,

SWORN AND SUBSCRIBED BEFORE ME THIS FRIDAY, MARCH 02, 2007

- muen mi

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Wendy Westover, Notary Public
Bloomsburg, Columbia Co., PA
Commission Expires November 07, 2633

P. D'ANGELO DEPUTY SHERIFF

SHERIEF

TIMOTHY T. CHAMBERLAIN



PHONE (570) 389-5622

24 HOUR PHONE (570) 784-6300

BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL MORTGAGE COMPANY OF PENNSYLVANIA

Docket # 31ED2007

VS

MORTGAGE FORECLOSURE

GARY F. SCHERER AND DARLYNN M. SCHERER S/W

### AFFIDAVIT OF SERVICE

NOW, THIS FRIDAY, MARCH 02, 2007, AT 9:10 AM, SERVED THE WITHIN MORTGAGE FORECLOSURE UPON DARLYNN SCHERER AT 1183 BEAR GAP ROAD, ELYSBURG BY HANDING TO GARY SCHERER, HUSBAND, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT AND MADE KNOWN TO THEM THE CONTENTS THEREOF.

SO ANSWERS,

SWORN AND SUBSCRIBED BEFORE ME THIS FRIDAY, MARCH 02, 2007

MA I AM

NOTARY PUBLIC

X\_\_\_\_\_\_TIMOTHY T. CHAMBERLAIN SHERIFE\_\_\_\_

P. D'ANGELO

**DEPUTY SHERIFF** 

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal Wendy Westover, Notary Public Bioomsburg, Columbia Co., PA My Commission Expires November 07, 2003 LAW OFFICES

### eCABE, WEISBERG & CONWAY ...C

TERRENCE J. McCABE\*\*\*

MARC S. WEISBERG\*\*
EDWARD D. CONWAY
MARGARET GAIRO
RITA C. BUSCITER\*\$
MONICA G. CHRISTIE
ANDREW L. MARKOWITZ
FRANK DUBIN
BRENDA E. BROGDON\*
BONNIE DAHL\*

SUITE 600 216 HADDON AVENUE WESTMONT, NJ 08108 (850) 858-7080 FAX (856) 858-7020

SUITE 205 53 WEST 36<sup>14</sup> STREEL NEW YORK, NY 10018 (917) 354-1188 FAX (917) 351-0363

<u>Of Counsel</u> JOSEPH F. RIGA\* LISA I. WALLACE†

March 5, 2007

Lourneed of PA X NJ
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 Manning Amounty for NI
 Mingring Amounty for NY

SCOTT TAGGART\*

WILLIAM FOLEY

ANGELA M. MICHAEL» MATTHEW DITRAPANE

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

Re: Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of

Pennsylvania

v. Gary F. Scherer and Darlynn M. Scherer, h/w

Columbia County Court of Common Pleas Number 965-CV-2006

Dear Sir/Madame:

Enclosed please find the original and one copy of the Affidavit of Service relative to the above-captioned matter. Kindly file the original of record with the Court and return to my attention the time-stamped copy in the stamped, self-addressed envelope which is provided.

Please advise promptly if there are any problems in this regard.

Thank you for your assistance in this matter.

Sincerely,

Jolande N. Holmes for

McČabe, Weisberg & Conway, P.C.

/JH Enclosure

cc: Office of the Sheriff/Real Estate Division

McCABE, WEISBERG AND CONWAY, P.C.

TERRENCE J. McCABE, ESQUIRE - ID # 16496 MARC S. WEISBERG, ESQUIRE - ID # 17616 EDWARD D. CONWAY, ESQUIRE - ID # 34687 MARGARET GAIRO, ESQUIRE - ID # 34419

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

Attorneys for Plaintiff

Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania

V.

Gary F. Scherer and Darlynn M. Scherer, h/w

COLUMBIA COUNTY COURT OF COMMON PLEAS

NUMBER 965-CV-2006

### AFFIDAVII OF SERVICE

The Undersigned Esquire, attorney for the Plaintiff in the within matter, hereby certify that on the  $5^{\rm th}$  day of March , 2007, a true and correct copy of the Notice of Sheriff's Sale of Real Property was served on all pertinent lienholder(s) as set forth in the Affidavit Pursuant to 3129 which is attached hereto as Exhibit "A".

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

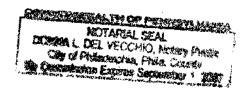
SWORN TO AND SUBSCRIBED BEFORE ME THIS 5111 DAY OF MARCH , 2007.

NOTARY PUBLIC

McCABE, WEISBERG, AND CONWAY, P.C.

Attorneys for Plaintiff

TERRENCE J. McCABE, ESQUIRE MARC S. WEISBERG, ESQUIRE EDWARD D. CONWAY, ESQUIRE MARGARET GAIRO, ESOUIRE



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

123 South Broad Street, Suite 2080 Philadelphia, Pennsylvania 19109

(215) 790-1010

Attorneys for Plaintiff

Beneficial Consumor Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania

Gary F. Scherer and Darlynn M. Scherer. h/w

COLUMBIA COUNTY COURT OF COMMON PLEAS

NUMBER 965-CV-2006

### AFFIDAVIT PURSUANT TO RULE 3129

The Undersigned 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 1183 Bear Gap Road, Elysburg, PA 17824 a copy of the description of said property is attached hereto and marked Exhibit "A."

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

> Gary F. Scherer 1183 Bear Gap Road, Elysburg, PA 17824

> Darlynn M. Scherer 1183 Bear Gap Road. Elysburg, PA 17824

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

> Gary F. Scherer 1183 Bear Gap Road, Elysburg, PA 17824



Darlynn M. Scherer 1183 Bear Gap Road,

Elysburg, PA 17824

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

Plaintiff Herein

Citifinancial, 1115 Old Berwick Road, Bloomsburg, PA 17815

Beneficial Consumer Discount Company, P.O. Box 8621, Elmhurst, IL 60126

Columbia County Tax Claim Bureau, 35 West Main Street, Basement Level, Bloomsburg, PA 17815

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

Plaintiff Herein

Beneficial Consumer Discount Company, d/b/a Beneficial Mortgage Company of Pennsylvania , 25 W. Independence Street, Shamokin, pA 17872

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

Name

Commonwealth of PA Department of Revenue

Bureau of Compliance Clearance Support Department 281230 Harrisburg, PA 17128-1230

**Address** 

Attn: Sheriff's Sales



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

Name	Address
Tenant(s)/Occupant(s)	1183 Bear Gap Road, Elysburg, PA 17824
Domestic Relations	Columbia County 700 Sawmill Road Bloomsburg, PA 17815
Commonwealth of Pennsylvania,	Department of Welfare, P.O. Box 2675, Harrisburg, PA 17105.
Internal Revenue Service Federated Investors Tower	13th Floor, Suite 1300 1001 Liberty Avenue Pittsburgh, PA 15222
United States of America c/o U.S. Attorney's for the Middle District of PA	235 North Washington Street Scranton, PA 18503
Commonwealth of PA Inheritance Tax Office	1400 Spring Garden Street Philadelphia, PA 19130
Commonwealth of PA Bureau of Individual Tax Inhoritance Tax Division	6th flr., Strawberry Square Dept. # 280601 Harrisburg, PA 17128
Department of Public Welfare TPL Casually Unit Estate Recovery Program	P.O. Box 8486 Willow Oak Bldg., Harrisburg, PA 17105

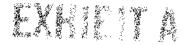


I verify that the statements made in this Affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

March 5, 2007 DATE

McCABE, WEISBERG, AND CONWAY, P.C.

TERRENCE J. McCABE, ESQUIRE MARC S. WEISBERG, ESQUIRE EDWARD D. CONWAY, ESQUIRE MARGARET GAIRO, ESQUIRE



McCABE, WEISBERG AND CONWAY, P.C. BY: TERRENCE J. McCABE, ESQUIRE Identification Number 16496 123 South Broad Street, Suite 2080 Philadelphia, Pennsylvania 19109 (215) 790-1010

### Attorney for Plaintiff

Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania.

COLUMBIA COUNTY COURT OF COMMON PLEAS

NUMBER 965-CV-2006

V.

Gary F. Scherer and Darlynn M. Scherer, h/w

DATE: March 5, 2007

TO: ALL PARTIES IN INTEREST AND CLAIMANTS

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

OWNER(S):

Gary F. Scherer and Darlynn M. Scherer, h/w

PROPERTY:

1183 Boar Gap Road, Elysburg, PA 17824

IMPROVEMENTS:

Residential Dwelling

The above-captioned property is scheduled to be sold at the Columbia County Sheriff's Sale on May 2, 2007, at 9:00 a.m. in the Sheriff's Office of the Columbia County Courthouse, Main Street, Bloomsburg, Pennsylvania 17815. Our records indicate that you may hold a mortgage or judgments and liens on, and/or other interests in the properly which will be extinguished by the sale. You may wish to attend the sale to protect your interests.

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



				<u> </u>
		United States of America clo U.S. Attorney's for the Middle District of PA 235 North Washington Succe Seranton, PA 18503	10	10
		Internal Revenue Service Federated Investors Towe: 13th Floor. Suite 1500 1001 Liberty Avenue Pittsburgh, PA 15222	0	
		Commonwealth of Perinsylvanial Department of Welfare, P.O. Box 2675. Partisburg, PA 17105	• 100	
		Domestic Relations Columbia County 700 Sawmill Road Bloomsburg, PA 17815	7	
		Tenant(s)*(Accipant(s) 1183 Bear Gap Road Flysburg, PA 17824	¢.	
		Commonwealth of PA Department of Revenue Bureau of Compliance Clearance Support Department 281230 Harrisburg, PA 17128-1230 Auto: Sheriff's Sales		
		Beneficial Consumer Discount Company, dibia Beneficial Mortgage Company of Penesylvania . 25 W. Independence Street. Shamokin, PA 17872		
		Columbia County Tax Claim Bureau. 35 West Main Street. Basement Level. Bloomsburg, PA 17815		
		Beneficial Consumer Discount Company, P.O. Boy 8624 Elmburst, H., 60126	CI	i
-		Civilinaccial 1115 Old Berwick Read Bloomsburg, PA 17815	1 Beneficial v. Scherer	
		Addition of the Mills add to Addition	are Shift Sarder	1
	Attiv Stamp Here	Check type of mail or service  U (ordine)  O (ordine)	Name and Address of Sender McCaba. Weisberg and Conway. P C 123 N. Broad St., Suite 2080 Philadelphia. PA 19109 ATTN: Jolande Holmes- 262-49	A BUSK

Commonwealth of PA inheritance Tax Office 1200 Spring Garden Street Philadelphia, PA 19130  Commonwealth of PA Bareau of Individual Lax inheritance Tax Division of the Pa Bareau of Individual Lax inheritance Tax Division of the Pa Bareau of Individual Lax inheritance Tax Division of the Pa Bareau of Petholic Welfare Text. Casualty Unit Estate Recovery Program Po. Day 8486 Willow Oak Bldg Harrisbarg, PA 17105  Tool Nanaster, Pet (Name of receiving amployee)  Tool Nanaster, Pet (Name of receiving amployee)	_			_	
Total Number of Peres Reserved at Post Office	PS Form 3877, February, 2008	Tata' Number of Proces Listed by Sender	55	13	-
Commonwealth of PA inheritance Tax Office 1400 Spring Garden Street 2400 Spring Garden Street Philade;phia, PA 19130  Commonwealth of PA 19130  Commonwealth of PA 19130  Commonwealth of PA 19130  Commonwealth of PA 19130  Barreau of Individual Lax inheritance Tax Division: 6th IIr. Strawberry Square Dept. # 280601  Harrisburg, PA 17128  Department of Pablic Welfare TP. Casualty Unit Estate Recovery Program PO. Box 8486  Willow Oak Bldg.  Harrisbarg, PA 17105  Postnaster, Per (Name of reserving employee)	Ã	Total Number of Pieces Received at Post Office			
		Postnaster. Per (Name of receiving employee)	Department of Public Welfare TPL Casualty Unit Estate Recovery Program P.O. Box 8486 Willow Oak Bldg Harrisbarg, PA 17105	Commonwealh of PA Bareau of Individual Lax inferitance Tax Division offullit. Strawberry Square Dept. # 280601 Harrisburg. PA 17128	Commonwealth of PA inheritance Tax Office 1400 Spring Ginden Street Philadelphia, PA 19130



T. CHAMBERLAIN OFFICER: SERVICE# 1 - OF - 19 SERVICES DATE RECEIVED 2/23/2007 DOCKET # 31ED2007 PLAINTIFF BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL MORTGAGE COMPANY OF PENNSYLVANIA DEFENDANT GARY F. SCHERER AND DARLYNN M. SCHERER S/W ATTORNEY FIRM McCabe, Weisberg and Conway, PC PERSON/CORP TO SERVED PAPERS TO SERVED GARY SCHERER MORTGAGE FORECLOSURE 1183 BEAR GAP ROAD ELYSBURG SERVED UPON \_GARY SCHERER RELATIONSHIP \_\_\_\_\_\_ IDENTIFICATION \_\_\_\_\_ DATE 03-02-07TIME 0910 MILEAGE \_\_\_\_\_OTHER \_\_\_\_ Race \_\_\_ Sex \_\_\_ Height \_\_\_ Weight \_\_ Eyes \_\_\_ Hair \_\_\_ Age \_\_\_ Military \_\_\_ TYPE OF SERVICE: A. PERSONAL SERVICE AT POA POB POE CCSO B. HOUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA C. CORPORATION MANAGING AGENT D. REGISTERED AGENT E. NOT FOUND AT PLACE OF ATTEMPTED SERVICE F. OTHER (SPECIFY) **ATTEMPTS** DATE TIME OFFICER REMARKS DATE 03 02 07 DEPUTY

T. CHAMBERLAIN OFFICER: SERVICE# 2 - OF - 19 SERVICES DATE RECEIVED 2/23/2007 **DOCKET # 31ED2007** PLAINTIFF BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL MORTGAGE COMPANY OF PENNSYLVANIA DEFENDANT GARY F. SCHERER AND DARLYNN M. SCHERER S/W ATTORNEY FIRM McCabe, Weisberg and Conway, PC PERSON/CORP TO SERVED PAPERS TO SERVED NUMBER DE DARLYNN SCHERER MORTGAGE FORECLOSURE PAST BALLET CHER 1183 BEAR GAP ROAD (R HANS TORN) ELYSBURG CAR PER AT MIDDLE RD SERVEDUPON GONY SCHERER RELATIONSHIP Huspan Dentification \_\_\_\_ DATE 03 02.07 TIME 0910 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_ Race \_\_\_ Sex \_\_\_ Height \_\_\_ Weight \_\_ Eyes \_\_\_ Hair \_\_\_ Age \_\_\_ Military \_\_\_ TYPE OF SERVICE: A. PERSONAL SERVICE AT POA POB POE CCSO B. HOUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA C. CORPORATION MANAGING AGENT D. REGISTERED AGENT E. NOT FOUND AT PLACE OF ATTEMPTED SERVICE F. OTHER (SPECIFY) **ATTEMPTS** DATE TIME OFFICER REMARKS 1545 Man - 6/C The DATE 03. 02.07 DEPUTY

T. CHAMBERLAIN OFFICER: SERVICE# 12 - OF - 19 SERVICES DATE RECEIVED 2/23/2007 DOCKET # 31ED2007 PLAINTIFF BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL MORTGAGE COMPANY OF PENNSYLVANIA DEFENDANT GARY F. SCHERER AND DARLYNN M. SCHERER S/W ATTORNEY FIRM McCabe, Weisberg and Conway, PC PAPERS TO SERVED " ON CROHARO OR PERSON/CORP TO SERVED LINDA BILINSKI-TAX COLLECTOR MORTGAGE FORECLOSURE (2) ON HEMICEN DA. 153 EISENHOWER ROAD CATAWISSA SERVED UPON POST BILINSKI RELATIONSHIP \_\_\_\_\_\_ IDENTIFICATION \_\_\_\_ DATE 03 02-07TIME 0935 MILEAGE \_\_\_\_\_OTHER \_\_\_\_ Race \_\_\_ Sex \_\_\_ Height \_\_\_ Weight \_\_ Eyes \_\_\_ Hair \_\_\_ Age \_\_\_ Military \_\_\_\_ TYPE OF SERVICE: A. PERSONAL SERVICE AT POA POB POE CCSO B. HOUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA C. CORPORATION MANAGING AGENT D. REGISTERED AGENT E. NOT FOUND AT PLACE OF ATTEMPTED SERVICE F. OTHER (SPECIFY) ATTEMPTS DATE TIME OFFICER REMARKS Flow Date 03.02.07

DEPUTY

OFFICER: T. CHAMBERLAIN SERVICE# 3 ~ OF - 19 SERVICES DATE RECEIVED 2/23/2007 DOCKET # 31ED2007 PLAINTIFF BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL MORTGAGE COMPANY OF PENNSYLVANIA DEFENDANT GARY F. SCHERER AND DARLYNN M. SCHERER S/W ATTORNEY FIRM McCabe, Weisberg and Conway, PC PERSON/CORP TO SERVED PAPERS TO SERVED CITIFINANCIAL MORTGAGE FORECLOSURE 1115 OLD BERWICK ROAD BLOOMSBURG Ilogoo Nestico RELATIONSHIP Manager IDENTIFICATION \_\_\_\_\_ DATE 3/1/07 TIME 10 30 MILEAGE \_\_\_\_\_\_ OTHER \_\_\_\_\_ Race \_\_\_ Sex \_\_\_ Height \_\_\_ Weight \_\_ Eyes \_\_\_ Hair \_\_\_ Age \_\_\_ Military \_\_\_ TYPE OF SERVICE: A. PERSONAL SERVICE AT POA \_\_\_ POB \_\_\_ POE \_\_\_ CCSO \_\_\_ B. HOUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA C. CORPORATION MANAGING AGENT D. REGISTERED AGENT E. NOT FOUND AT PLACE OF ATTEMPTED SERVICE F. OTHER (SPECIFY) Phone - 387-8480 ATTEMPTS DATE TIME OFFICER REMARKS

OFFICER: DATE RECEIVED 2/23/2	SERVICE# 13 - OF - 19 SERVICES DOCKET # 31ED2007
PLAINTIFF	BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL MORTGAGE COMPANY OF PENNSYLVANIA
DEFENDANT ATTORNEY FIRM	GARY F. SCHERER AND DARLYNN M. SCHERER S/W McCabe, Weisberg and Conway, PC
PERSON/CORP TO SERV	TIMESTO DELL'ED
DOMESTIC RELATIONS	MORTGAGE FORECLOSURE
15 PERRY AVE.	
BLOOMSBURG	
SERVED UPON	slie LENAN
	INC. SERVICE IDENTIFICATION
DATE <u>3 38 - 7</u> TIME <u>C</u>	655 MILEAGEOTHER
Race Sex Height	Weight Eyes Hair Age Military
B. 1 C. 6 D. 1 E. 1	PERSONAL SERVICE AT POA POB POE CCSO HOUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA CORPORATION MANAGING AGENT REGISTERED AGENT NOT FOUND AT PLACE OF ATTEMPTED SERVICE
F. (	OTHER (SPECIFY)
ATTEMPTS DATE TIME	E OFFICER REMARKS
DEPUTY CEL	DATE 2-28-7

OFFICER: DATE RECEIVED	2/22/2007		VICE# 16 - OF - 19 :	SERVICES
DATE RECEIVED	2/23/2007	DOC	KET # 31ED2007	
PLAINTIFF			JMER DISCOUNT C GAGE COMPANY O	
DEFENDANT ATTORNEY FIRM	GA: McG	RY F. SCHERER A	AND DARLYNN M.	SCHERER S/W
PERSON/CORP TO			ERS TO SERVED	
COLUMBIA COUN			TGAGE FORECLOS	TIDE
PO BOX 380	- 11111 00/11	- 1,101	TOROL PORDCEOS	SUKE
BLOOMSBURG		<del></del>		
SERVED UPON	DEB ,	41:11ER		
RELATIONSHIP(1)	ERK	ID	ENTIFICATION	<del></del>
DATE 2287 1	TIME <u>&amp;825</u>	MILEAGE	OTHER	
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ATTEMPTS DATE	TIME	OFFICER		
DEPUTY	artes		DATE	7

#### COUNTY OF COLUMBIA REAL ESTATE TAX LIEN CERTIFICATE

DATE: 28-FEB-07

FEE:\$5.00

CERT. NO:3115

SCHERER GARY F & DARLYNN M 1183 BEAR GAP ROAD ELYSBURG PA 17824

DISTRICT: CLEVELAND TWP

DEED 0370-0419 LOCATION: 1183 BEAR GAP RD ELYSBURG PARCEL: 13 -01 -021-02,000

YEAR	BILL ROLL	AMOUNT	PEND INTEREST	ING COSTS	TOTAL AMOUNT DUE
2005 2006	PRIM PRIM	1,004.42 1,008.16	19.67 22.18	55.00 60.00	1,0,0,00
TOTAL	DUE :	· <del>-</del>	· <b></b>	<b></b>	\$2,169.43

TAX CLAIM TOTAL AMOUNT DUE DURING THE MONTH OF: May THIS IS TO CERTIFY THAT, ACCORDING TO OUR RECORDS, TAX LIENS AS OF DECEMBER 31, 2006

REQUESTED BY: Timothy T. Chamberlain, Sheriff dm.

dress	5			landi	<b>L</b> .		Į į	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Address		£ £ □ □		Express Mail Return Receipt for Merchandi C.O.D.	□ Yes	37	102595-02-M-	■ Complete items 1, 2 13. Also complete item 4 if Restricted Delivery is desired.	A. Signature,
٦	;   G			pt for		75	ģ	Print your name and address on the reverse so that we can return the card to you.	Address
Ī	MAR	n item below:		s Mail Recel	_	Ţ.		<ul> <li>Attach this card to the back of the mailpiece,</li> <li>or on the front if space permits.</li> </ul>	B. Received by (Printed Name) C. Date of Delive
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			-	1		701	Retu	{	4. Restricted Delivery? (Extra Fee)
Se	6						Domestic Return Receipt	2. Article Number 700 (Transfer from service label)	5 1160 0000 3414 9562
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addre	sturn the card to the back of space permits		of F			6	, 200	■ Complete items 1,2 d 3. Also complete Item 4 if Restricted Delivery is desired.	A. Signature
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ăr n	that we can lach this car on the front	Article Addressed to	Connorwealth PO Box 2675 Harrisburg, F			Article Number (Transfer from service label)	Form 3811, February 2004	Adde-Addressed to:	D. Is delivery address different from item 1?
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<b>3</b>	Date of Delivery	1 .		handi	s	١,	102595-02-M-1540		3. Service Type  2 Certified Mail
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<b>ξ</b>   (	€لہ ن	=		pt for		500	흗		4. Restricted Delivery? (Extra Fee)
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Otto Person		Express Mail Return Receipt for Merchandise C.O.D.	Sez		102595-02-M	HARRISBURG, PA 17105	3. Service Type  All Certified Mail
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PS Form 3811, February 2004 Domestic Return Receipt		18501-0309	USA c/o Atty for Middle District 231 Morth Washington St. Scranton, PA 18505	Complete items 1, 2, a. J. Also complete item 4 if Restricted Delivery is desired.  Print your name and address on the reverse so that we can return the card to you.  Attach this card to the back of the mailpiece, or on the front if space permits.	S Form 3811, February 2004 Domestic Return Receipt		600 ARCH STREET ROOM 3259 PHILADELPHIA, PA 19106	INTERNAL REVENUE SERVICE TECHNICAL SUPPORT GROUP WILLIAM GREEN FEDERAL BUILDING	1. Article Addressed to:	<ul> <li>Item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the malipiece, or on the front if space permits.</li> </ul>	SENDER: COMPLETE THIS SECTION
rn Receipt 102595-02-M-16	7005 1160 0000 3414 9555	3. Service Type  2. Certified Mail	If YES, enter delivery address below: No	A. Signature  X  A. Signature  X  C. Date of Delive	tum Receipt 102595-02-M-16	7005 1160 0000 3414 9470	3. Service Type  Certified Mail		D. Is delivery address different from item 1? / ☐ Yes If YES, enter delivery address below: ☐ No	B: Received by (Printed Name)  C. Date of Delive	COMPLETE THIS SECTION ON DELIVERY

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# RECORD OWNER AND LIEN CERTIFICATE

Commonwealth Land Title Insurance Company

Premier Real Estate Settlement Services, Inc.

Elwood R. Harding, Jr., Agent

No. 2006-019

### ATTACHED TO AND FORMING A PART OF RECORD OWNER AND LIEN

CERTIFICATE NO. 2006 - 019

\*

Subject to the encumbrance and claims as follows:

TAXES: Account No. 13-01-021-02 collected by Sheriff

Lienable Water and Sewer Rents - None

Mechanics and Municipal Claims - None

Mortgage: 1) Gary F. Scherer and Darlynn M. Scherer to Beneficial Consumer Discount Co D/b/a Beneficial Mortgage Company of Pennsylvania

Dated 9-24-2002

Recorded in Columbia County Instr. # 200211420

Beneficial Consumer Discount Company vs. Gary F. Scherer and Darlynn M. Scherer Complaint in Mortgage Foreclosure filed on July 19, 2006 to #965-MF- 2006. Defendant served by Sheriff on July 27, 2006 Judgment in Mortgage Foreclosure filed August 28, 2006 Writ of Execution # 145 ED- 2006 filed September 6, 2006 served by Sheriff on September 11, 2006

Judgments: Citifinancial vs. Gary F. Scherer filed 6-17-2003 to # 670 JU 2003

Notice of sale served by Sheriff on September 11, 2006

Bankruptcies: None of record in Columbia County

### Exceptions:

1) Adverse for deed to Commonwealth for 2135 sq. ft. as recorded in RB 331, pg 939 2) Rights of way as recorded in Columbia County Miscellaneous Book 9, page 576 and 584; and Book 11, pg 164

NOTE: The status or validity of title to the subject premises may be affected by matters disclosed by survey, rights of parties in possession and other items not found of record and not certified hereon. Therefore, the Applicant is cautioned against using this Certificate as a basis for consummating a real estate transaction, until this Certificate is converted into a Title Binder or Commitment at which time additional exceptions and settlement requirements will be added.

Settlement or removal of items and exceptions will not be made on this Certificate. This Certificate may be converted into a report for title insurance at any time. If the conversion is made within six months from the date hereof, credit will be allowed against the fee previously paid.

### COMMONWEALTH LAND TITLE INSURANCE COMPANY

### Record Owner and Lien Certificate

Order No.	2006 –019	Effective Date: November 8, 2006

Based upon the examination of evidence in the appropriate public records, Company certifies that the premises endorsed hereon are subject to the liens, encumbrances and exceptions to title hereinafter set forth. This Certificate does not constitute title insurance; liability hereunder is assumed by the Company solely in its capacity as a abstractor for its negligence, mistakes or omissions in a sum not exceeding Two Thousand Dollars unless otherwise endorsed hereon.

Legal Description - See attached Exhibit A

Record Owner: Gary F. Scherer and Darlynn M. Scherer

Title to the said premises is vested in Gary F. Scherer and Darlynn M. Scherer

ALL that certain piece, parcel or tract of land situate in Cleveland Township, Columbia County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin on the southeasterly right-of-way of Pa. State Bighway Legislative Route No. 19002 leading from Bear Gap to Numidia, said pin being 195.60 feet distant on a course running North 88 degrees 00 minutes East from a nail in the center of the steel bridge crossing the South Branch of Roaring Creek; thence along the southeasterly (previously erroneously described as southwesterly) right-of-way of Pa. State Highway Legislative Route No. 19002, North 52 degrees 57 minutes East, 84.67 feet to an iron pin; thence along same, North 41 degrees 32 minutes East, 256.00 feet to an iron pin and other lands now or late of Jacob B. and Frances Y. Leisenring; thence along lands now or late of said Leisenring, South 3 degrees 46 minutes West, 383.09 feet to an iron pin; thence along same, North 78 degrees 38 minutes West, 76.00 feet to an iron pin; thence along same, North 47 degrees 50 minutes West, 185.71 feet to the place

of BEGINNING. CONTAINING 1.004 acres of land in all.

### REAL ESTATE OUTLINE

	ED#_3/~0 /							
DATE RECEIVED 2-33-6	7							
DOCKET AND INDEX 2-37/6								
CHECK FOR PROPER	INFO							
WRIT OF EXECUTION								
COPY OF DESCRIPTION	<del></del>							
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NON-MILITARY AFFIDAVIT	<del></del>							
NOTICES OF SHERIFF SALE								
WATCHMAN RELEASE FORM								
AFFIDAVIT OF LIENS LIST	4/1.06							
CHECK FOR \$1,350.00 OR	CK# Som other She							
**IF ANY OF ABOVE IS MISSING DO NOT PROCEDE**								
SALE DATE	May 2 57 TIME 900							
POSTING DATE	Max 37.00							
ADV. DATES FOR NEWSPAPER	1ST WEEK Apr //							
	2 <sup>ND</sup> WEEK							
	3 <sup>RD</sup> WEEK							

### SHERIFF'S SALE

### WEDNESDAY MAY 2, 2007 AT 9:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 31 OF 2007 ED AND CIVIL WRIT NO. 965 OF 2006 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

ALL that certain piece, parcel or tract of land situate in Cleveland Township, Columbia County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin on the southeasterly right-of-way of Pa. State Highway Legislative Route No. 19002 leading from Bear Gap to Numidia, said pin being 195.60 feet distant on a course running North 88 degrees 00 minutes East from a nail in the center of the steel bridge crossing the South Branch of Roaring Creek; thence along the southeasterly (previously erroneously described as southwesterly) right-of-way of Pa. State Highway Legislative Route No. 19002, North 52 degrees 57 minutes East, 84.67 feet to an iron pin; thence along same, North 41 degrees 32 minutes East, 256.00 feet to an iron pin and other lands now or late of Jacob E. and Frances V. Leisenring; thence along lands now or late of said Leisenring, South 3 degrees 46 minutes West, 383.09 feet to an iron pin; thence along same, North 78 degrees 38 minutes west, 76.00 feet to an iron pin; thence along same, North 47 degrees 50 minutes West, 185.71 feet to the place of BEGINNING, CONTAINING 1.004 acres of land in all.

BEING KNOWN AS:

1183 Bear Gap Road, Elysburg, PA 17824

REAL DEBT: \$113,366.10

SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF: Gary F. Scherer and Darlynn M Scherer I h/w

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

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

# SHERIFF'S SALE

### WEDNESDAY MAY 2, 2007 AT 9:00 AM

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Plaintiff's Attorney Terrence J. McCabe 123 South Broad Street Philadelphia, PA 19109

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

### WRIT OF EXECUTION (MORTGAGE FORECLOSURE) P.R.C.P. 3180 TO 3183 and Rule 3257

d/b/a Beneficial Pe	umer Discount Comp Mortgage Compar ennsylvania V. and Darlynn M. Sche	ny of CC	IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA  No.31 Term 2007 E.D.				
Odiy F. Scheler	h/w		Term	A.D.			
		No. <u>9</u>	265-CV-2006Term	J.D			
Commonwealth o	of Pennsylvania:		WRIT OF EXECUTE MORTGAGE FORECT				
County of Columi	bia						
TO THE SHERIFF OF	COLUMBIA		COUNTY PENNS	YLVANIA			
To satisfy the judge levy upon and sell below):	ement, interest and a the following descri	costs in the all bed property	pove matter you are (specifically describe	directed to ed property			
Being Known As:	1183 Bear Gap Ro (See legal descrip						
Amount due	€	\$113	3,366.10				
	n 08/29/2006 - ale, per diem \$18.6	\$ (54)					
	Total	\$	Plus Costs as endo	orsed.			
Dated: <u>Lebruia</u> (SEAL)	rej 23 2007	Prothonotary	: B - Yelever y, Common Pleas Co County Penna.				

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BEING KNOWN AS: 1183 Bear Gap Road, Elysburg, PA 17824

REAL DEBT: \$113,366,10

SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF: Gary F. Scherer and Darlynn M. Scherer,  $\mbox{\sc h/w}$ 

#### LAW OFFICES

# McCABE, WEISBERG & CONWAY, P.C.

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

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

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

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

Of Counsel JOSEPH F. RIGA\* LISA L. WALLACE†

February 21, 2007

Licensed in PA & NJ
Licensed in PA & NY
Licensed in PA & NM
Licensed in PA. NJ & NY
Licensed in PA. NJ & NY
Licensed in NY & CT
Licensed in NY

Managing Attorney for NJ
 Managing Attorney for NY

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

Beneficial Consumer Discount Company d/b/a Re:

Beneficial Mortgage Company of Pennsylvania v. Gary F. Scherer and Darlynn M. Scherer, h/w

Columbia County Court of Common Pleas Number 965-CV-2006

#### Dear Sir or Madam:

Enclosed please find the following documentation relative to the abovecaptioned matter:

- 1. Original and one copy of Praecipe and Writ of Execution;
- 2. Original and one copy of Affidavit Pursuant to Rule 3129;
- 3. Original and a copy of Affidavit of Defendants' Whereabouts;
- 4. Original and two copies of Instructions to the Sheriff, with a Waiver of Watchman:

\_\_\_\_

- 5. Original and two copies of Notice of Sheriff's Sale of Real Property, as well as letter addressed to the Sheriff's Office;
- 6. The original and five copies of the legal description;
- 7. Check in the amount of \$23.00, representing payment of the fee for the Writ of Execution;
- 8. Sheriff will paid for re-listing the property from the proceeds from the third party that failed to make settlement with the sheriff.

Please file the pertinent documentation of record with the Court, return a time-stamped copy of the same to my attention in the enclosed stamped, self-addressed envelope, and forward all appropriate documentation to the Sheriff's Office so that this property may be listed for Sheriff's Sale.

Thank you for your cooperation in this matter.

Very truly yours,

Angie Owens, Paralegal for,

McCabe, Weisberg & Conway, P.C.

Enclosures

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

MARC S. WEISBERG, ESQUIRE - ID # 17616

EDWARD D. CONWAY, ESQUIRE - ID # 34687

MARGARET GAIRO, ESQUIRE - ID # 34419

123 South Broad Street, Suite 2080

Philadelphia, Pennsylvania 19109

Beneficial Consumer Discount

Company of Pennsylvania

(215) 790-1010

COLUMBIA COUNTY

COURT OF COMMON PLEAS

Attorneys for Plaintiff

NUMBER 965-CV-2006

107.ED.31

V.

Gary F. Scherer and Darlynn M. Scherer,

Company d/b/a Beneficial Mortgage

h/w

# **AFFIDAVIT PURSUANT TO RULE 3129**

The Undersigned 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 1183 Bear Gap Road, Elysburg, PA 17824 a copy of the description of said property is attached hereto and marked Exhibit "A."

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

> Gary F. Scherer 1183 Bear Gap Road, Elysburg, PA 17824

> Darlynn M. Scherer 1183 Bear Gap Road, Elysburg, PA 17824

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

> Gary F. Scherer 1183 Bear Gap Road, Elysburg, PA 17824

Darlynn M. Scherer 1183 Bear Gap Road, Elysburg, PA 17824

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

Plaintiff Herein

Citifinancial, 1115 Old Berwick Road, Bloomsburg, PA 17815

Beneficial Consumer Discount Company, P.O. Box 8621, Elmhurst, IL 60126

Columbia County Tax Claim Bureau, 35 West Main Street, Basement Level, Bloomsburg, PA 17815

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

Plaintiff Herein

Beneficial Consumer Discount Company, d/b/a Beneficial Mortgage Company of Pennsylvania , 25 W. Independence Street, Shamokin, pA 17872

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

Name Address

Commonwealth of PA
Department of Revenue

Bureau of Compliance Clearance Support Department 281230 Harrisburg, PA 17128-1230

Attn: Sheriff's Sales

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

Name

**Address** 

Tenant(s)/Occupant(s)

1183 Bear Gap Road, Elysburg, PA 17824

Domestic Relations

Columbia County 700 Sawmill Road Bloomsburg, PA 17815

Commonwealth of Pennsylvania,

Department of Welfare,

P.O. Box 2675,

Harrisburg, PA 17105.

Internal Revenue Service Federated Investors Tower

13th Floor, Suite 1300 1001 Liberty Avenue Pittsburgh, PA 15222

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

235 North Washington Street

Scranton, PA 18503

Commonwealth of PA Inheritance Tax Office

1400 Spring Garden Street Philadelphia, PA 19130

Commonwealth of PA Bureau of Individual Tax Inheritance Tax Division

6th flr., Strawberry Square

Dept. # 280601

Harrisburg, PA 17128

Department of Public Welfare TPL Casualty Unit Estate Recovery Program

am P.O, Box 8486 Willow Oak Bidg.,

Harrisburg, PA 17105

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.

<u>February</u>	21,	2007
DATE		

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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BY:

TERRENCE J. McCABE, ESQUIRE - ID # 16496 MARC S. WEISBERG, ESQUIRE - ID # 17616 EDWARD D. CONWAY, ESQUIRE - ID # 34687 MARGARET GAIRO, ESQUIRE - ID # 34419

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

Beneficial Consumer Discount

Company d/b/a Beneficial Mortgage

Company of Pennsylvania

V.

Gary F. Scherer and Darlynn M. Scherer,

h/w

COLUMBIA COUNTY
COURT OF COMMON PLEAS

NUMBER 965-CV-2006

2007-ED 31

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

Name

**Address** 

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Domestic Relations

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Philadelphia, PA 19130

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6th flr., Strawberry Square

Dept. # 280601 Harrisburg, PA 17128

Department of Public Welfare TPL Casualty Unit Estate Recovery Program

P.O. Box 8486 Willow Oak Bldg., Harrisburg, PA 17105 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.

<u>February 21, 2007</u> DATE McCABE, WEISBERG, AND CONWAY, P.C.

Attorneys for Plaintiff

TERRENCE J. McCABE, ESQUIRE MARC S. WEISBERG, ESQUIRE EDWARD D. CONWAY, ESQUIRE MARGARET GAIRO, ESQUIRE

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McCABE, WEISBERG & CONWAY, P.C., 123 South Broad Street, Suite 2080 Philadelphia, PA 19109 (215) 790 1010

Exhibit A

BY: TERRENCE J. McCABE, ESQUIRE

TERRENCE J. McCABE, ESQUIRE - ID # 16496 MARC S. WEISBERG, ESQUIRE - ID # 17616 EDWARD D. CONWAY, ESQUIRE - ID # 34687

MARGARET GAIRO, ESQUIRE - ID # 34419

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

Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania

COLUMBIA COUNTY
COURT OF COMMON PLEAS

V.

Gary F. Scherer and Darlynn M. Scherer, h/w

NUMBER 965-CV-2006-2007-ED 31

Attorneys for Plaintiff

TO: Sheriff of Columbia County

Courthouse, Main Street

P.O. Box 380

Bloomsburg, PA 17815

#### SIR OR MADAM:

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

#### **INSTRUCTIONS**

You are hereby directed to post, levy upon, and sell the property described as follows: 1183 Bear Gap Road, Elysburg, PA 17824

(more fully described as attached)

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

Gary F. Scherer Darlynn M. Scherer 1183 Bear Gap Road, Elysburg, PA 17824

#### WAIVER OF WATCHMAN

Any deputy sheriff levying upon or attaching any property under within Writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of such levy or attachment, without liability on the part of such deputy or the Sheriff to any Plaintiff herein for any loss, destruction, or removal of any such property before sheriff's sale thereof.

<b>February</b>	21,	2007
DATE		

McCABE, WEISBERG, AND CONWAY, P.C.

BY:		
Attorneys	for Plaintiff	

Attorneys for Plaintiff
TERRENCE J. McCABE, ESQUIRE
MARC S. WEISBERG, ESQUIRE
EDWARD D. CONWAY, ESQUIRE
MARGARET GAIRO, ESQUIRE

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BY: TERRENCE I McCARE ESQUIDE

TERRENCE J. McCABE, ESQUIRE - ID # 16496 MARC S. WEISBERG, ESQUIRE - ID # 17616 EDWARD D. CONWAY, ESQUIRE - ID # 34687

MARGARET GAIRO, ESQUIRE - ID # 34419

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

Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania

COLUMBIA COUNTY
COURT OF COMMON PLEAS

Aftorneys for Plaintiff

V,

Gary F. Scherer and Darlynn M. Scherer, h/w

NUMBER 965-CV-2006

TO: Sheriff of Columbia County Courthouse, Main Street

P.O. Box 380

Bloomsburg, PA 17815

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BY:

February 21, 2007 DATE McCABE, WEISBERG, AND CONWAY, P.C.

Attorneys for Plaintiff

TERRENCE J. McCABE, ESQUIRE MARC S. WEISBERG, ESQUIRE

EDWARD D. CONWAY, ESQUIRE MARGARET GAIRO, ESQUIRE

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BY:

h/w

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123 South Broad Street, Suite 2080 Philadelphia, Pennsylvania 19109

Beneficial Consumer Discount

Company of Pennsylvania

(215) 790-1010

COLUMBIA COUNTY

COURT OF COMMON PLEAS

Attorneys for Plaintiff

NUMBER 965-CV-2006

V. Gary F. Scherer and Darlynn M. Scherer,

Company d/b/a Beneficial Mortgage

2001-ED 31

# **AFFIDAVIT OF DEFENDANTS' WHEREABOUTS**

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

Gary F. Scherer Darlynn M. Scherer 1183 Bear Gap Road, Elysburg, PA 17824

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 21st DAY
OF FEBRUARY , 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

NOTARY PUBLIC

NOTARIAL SEAL
Lana T. Watts, Notary Public
City of Philadelphia, Philadelphia County
My commission expires November 22, 2008

BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496
MARC S. WEISBERG, ESQUIRE - ID # 17616
EDWARD D. CONWAY, ESQUIRE - ID # 34687

MARGARET GAIRO, ESQUIRE - ID # 34419

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

Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania

V.

Gary F. Scherer and Darlynn M. Scherer,

h/w

COLUMBIA COUNTY
COURT OF COMMON PLEAS

NUMBER 965-CV-2006

2007-ED-31

## **AFFIDAVIT OF DEFENDANTS' WHEREABOUTS**

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

DAY

Gary F. Scherer Darlynn M. Scherer 1183 Bear Gap Road, Elysburg, PA 17824

SWORN TO AND SUBSCRIBED BEFORE ME THIS 21st OF FEBRUARY , 2007.

McCABE, WEISBERG, AND CONWAY, P.C.

Attorneys for Plaintiff

BY: Source

TERRENCE J. McCABE, ESQUIRE MARC S. WEISBERG, ESQUIRE EDWARD D. CONWAY, ESQUIRE MARGARET GAIRO, ESQUIRE

NOTARIAL SEAL
Lana T. Watts, Notary Public
City of Philadelphia, Philadelphia County
My commission expires November 22, 2008

#### LAW OFFICES

# McCABE, WEISBERG & CONWAY, P.C.

TERRENCE J. McCABE\*\*\*
MARC S. WEISBERG\*\*
EDWARD D. CONWAY
MARGARET GAIRO
RITA C. BUSCHER\*‡
MONICA G. CHRISTIE +
ANDREW L. MARKOWITZ
FRANK DUBIN
BRENDA L. BROGDON\*
BONNIE DAHL\*
SCOTT TAGGART\*
ANGELA M. MICHAEL»
MATTIEW DITRAPANI^
WILLIAM FOLEY^

SUITE 2080 123 SOUTH BROAD STREET PHILADELPHIA, PA 19109 (215) 790-1010 FAX (215) 790-1274 SUITE 600 216 HADDON AVENUE WESTMONT, NJ 08108 (856) 858-7080 FAX (856) 858-7020

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

Of Counsel JOSEPH F. RIGA\* LISA L. WALLACE†

February 21, 2007

Licensed in PA & NI
Licensed in PA & NY
Licensed in PA & NM
Licensed in PA & WA
Licensed in PA, NJ & NY
Licensed in PA, NJ & NY
Licensed in NY & CT
Licensed in NY
License

Managing Attorney for NJ
 Managing Attorney for NY

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

Re: Beneficial Consumer Discount Company

d/b/a Beneficial Mortgage Company of Pennsylvania

v. Gary F. Scherer and Darlynn M. Scherer, h/w

Columbia County Court of Common Pleas Number 965-CV-2006

# Dear Sheriff:

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

Gary F. Scherer and Darlynn M. Scherer 1183 Bear Gap Road, Elysburg, PA 17824

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

Thank you for your cooperation in this matter.

Very truly yours,

Angie Owens, Paralegal for,

McCabe, Weisberg & Conway, P.C.

BV.

TERRENCE J. McCABE, ESQUIRE - ID # 16496 MARC S. WEISBERG, ESQUIRE - ID # 17616 EDWARD D. CONWAY, ESQUIRE - ID # 34687 MARGARET GAIRO, ESQUIRE - ID # 34419

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

Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania

V.

Gary F. Scherer and Darlynn M. Scherer,

h/w

COLUMBIA COUNTY
COURT OF COMMON PLEAS

NUMBER 965-CV-2006

2007-8031

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

TO:

Gary F. Scherer Darlynn M. Scherer 1183 Bear Gap Road, Elysburg, PA 17824

Your house (real estate) at 1183 Bear Gap Road, Elysburg, PA 17824, (more fully described as attached) is scheduled to be sold at the Columbia County Sheriff's

Sale on \_\_\_\_\_\_\_\_, at 9:30 a.m., in the Sheriff's Office of the

Columbia County Courthouse, Main Street, Bloomsburg, Pennsylvania 17815, to

enforce the court judgment of \$113,366.10, obtained by Beneficial Consumer

Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania 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 Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania 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 & 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.
- 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 & 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 & 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 (30) days of the sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed schedule of distribution is wrong) are filed with the Sheriff within ten (10) days after the posting of the schedule of distribution.
- 7. You may also have other rights and defenses, or ways of getting your real estate back, if you act immediately after the sale.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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

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

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

ALL that certain piece, parcel or tract of land situate in Cleveland Township, Columbia County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin on the southeasterly right-of-way of Pa. State Highway Legislative Route No. 19002 leading from Bear Gap to Numidia, said pin being 195.60 feet distant on a course running North 88 degrees 00 minutes East from a nail in the center of the steel bridge crossing the South Branch of Roaring Creek; thence along the southeasterly (previously erroneously described as southwesterly) right-of-way of Pa. State Highway Legislative Route No. 19002, North 52 degrees 57 minutes East, 84.67 feet to an iron pin; thence along same, North 41 degrees 32 minutes East, 256.00 feet to an iron pin and other lands now or late of Jacob E. and Frances Y. Leisenring; thence along lands now or late of said Leisenring, South 3 degrees 46 minutes West, 383.09 feet to an iron pin; thence along same, North 78 degrees 38minutes west, 76.00 feet to an iron pin; thence along same, North 47 degrees 50 minutes West, 185.71 feet to the place of BEGINNING. CONTAINING 1.004 acres of land in all.

BEING KNOWN AS: 1183 Bear Gap Road, Elysburg, PA 17824

REAL DEBT: \$113,366.10

SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF: Gary F. Scherer and Darlynn M. Scherer, h/w

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