SHERIFF'S SALE COST SHEET

FAIC What Cow V	s. Walten
NO. 107-08 ED NO. 267-08	S. Uq tan JD DATE/TIME OF SALE Stayout
DOCKET/RETURN	\$15.00
SERVICE PER DEF.	\$ <u>/65100</u>
LEVY (PER PARCEL	\$15.00
MAILING COSTS	\$ <u>30100</u>
ADVERTISING SALE BILLS & COPIES	\$17.50
ADVERTISING SALE (NEWSPAPER)	\$15.00
MILEAGE	\$ 8,00
POSTING HANDBILL	\$15.00
CRYING/ADJOURN SALE	\$10.00
SHERIFF'S DEED	\$ 35.0 0
TRANSFER TAX FORM	\$ 25:00
DISTRIBUTION FORM	\$25.0 0
COPIES	\$ 5,50
NOTARY	\$_/5,00
TOTAL ********	********** \$ 3//,00
	 -
WEB POSTING	\$150.00
PRESS ENTERPRISE INC.	\$ *************************************
SOLICITOR'S SERVICES	\$75.00
TOTAL ********	********** \$ \SO \XO
	
PROTHONOTARY (NOTARY)	\$ 10.0 0
RECORDER OF DEEDS	\$
TOTAL *******	********
D	
REAL ESTATE TAXES:	
BORO, TWP & COUNTY 20	\$
SCHOOL DIST. 20_	\$
DELINQUENT 20	\$ 5,00
TOTAL *******	**********
MUNICIPAL PEEC DUE.	
MUNICIPAL FEES DUE:	<u></u>
SEWER 20	<u></u>
WATER 20	\$ \$ ************
TOTAL *********	D
SURCHARGE FEE (DSTE)	\$ 120.00
MISC. paindage	€ U.S. >0
	\$
TOTAL *******	\$ 46.30 \$ ********** \$ 46,30
IVIII	1350.
TOTAL COSTS (OP	PENING BID) \$ 632,30
	•
	20 fund 5717,80
	10 fund # 1/1/180

THE LAW
Offices of

1310 Industrial Boulevard 1st Floor, Suite 101 Southampton, PA 18966

GREGORY JAVARDIAN

Phone: (215) 942-9690 Fax: (215) 942-9695

June 23, 2008

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

Attention: Tim

Re:

EMC MORTGAGE CORPORATION

v. ROSE M. WALTON and DENNIS L. WALTON

No. 2008-CV-267

Premises: 34 MAGGIE SPRINGS ROAD, BLOOMSBURG, PA 17815

Dear Tim:

Please STAY the Sheriff's Sale of the above referenced property, which is scheduled for AUGUST 27, 2008.

The sum of \$2,310.00 was received in consideration for the stay.

Very truly yours,

Marie Keen for

Law Offices of Gregory Javardian

/mk

cc:

EMC MORTGAGE CORPORATION/NEWTRAK

File #0003788254

VIA TELECOPY (570) 389-5625 and REGULAR MAIL

COUNTY OF COLUMBIA

REAL ESTATE TAX CERTIFICATION

Date: 06/17/2008

Fee: \$5.00

Cert. NO: 4730

WALTON DENNIS L & ROSE M 34 MAGGIE SPRINGS LANE BLOOMSBURG PA 17815

District: HEMLOCK TWP Deed: 0678 -0768 Location: 34 MAGGIE SPRING RD Parcel Id:18 -07 -018-00,000

Assessment: 46,214 Balances as of 06/17/2008

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

BALANCE

By: Timothy	T. Chamberlain	Per:	dm	
)	Sher	iff		

DATE RECEIVED 6	/16/2008	DOCKET # 107	OF - 12 SERVICES ED2008
PLAINTIFF	EMC MORTG	AGE CORPORATI	ON
DEFENDANT	ROSE M. WAI DENNIS L. W		
ATTORNEY FIRM	LAW OFFICE	OF GREGORY IA	VARDIAN
PERSON/CORP TO S	SERVED	PAPERS TO SE	
DENNIS WALTON		MORTGAGE FO	
34 MAGGIE SPRINGS	SROAD		
BLOOMSBURG			
SERVED UPON	Dennis		
RELATIONSHIP	DEF	IDENTIFICA	TION
DATE <u>6-17-08</u> TH	ME <u>1436</u> MILE	AGE	OTHER
Race Sex H	leight Weight	Eyes Hair	Age Military
TYPE OF SERVICE:	A. PERSONAL SERV B. HOUSEHOLD ME C. CORPORATION M D. REGISTERED AG E. NOT FOUND AT I	MBER: 18+ YEAI IANAGING AGEN ENT	NT
	F. OTHER (SPECIFY)	
ATTEMPTS DATE	TIME OI	FFICER	REMARKS
DEPUTY	& Alleson	DATE	6-17-08
	()		

OFFICER: T. CHA	AMBERLAIN	SERVICE# 2 - C	OF - 12 SERVICES
DATE RECEIVED 6/	16/2008	DOCKET # 107E	D2008
PLAINTIFF	EMC MORTGA	AGE CORPORATION	ON
DEFENDANT	ROSE M. WAL DENNIS L. WA	-	
ATTORNEY FIRM			VARDIAN
PERSON/CORP TO S	ERVED	PAPERS TO SE	
ROSE WALTON		MORTGAGE FO	RECLOSURE
34 MAGGIE SPRINGS	ROAD		
BLOOMSBURG		j	
SERVED UPON	Dennis		
RELATIONSHIP			
DATE 6-17-08 TIM	ие <u>1436</u> місе.	AGE	OTHER
			Age Military
	A. PERSONAL SERVI B. HOUSEHOLD MEI C. CORPORATION M D. REGISTERED AGI E. NOT FOUND AT P	MBER: 18+ YEAR IANAGING AGEN ENT	T
	F. OTHER (SPECIFY)		
ATTEMPTS DATE	TIME OF	FICER	REMARKS
		·	
DEPUTY	Muson	DATE	6-17-08

OFFICER: T. CH DATE RECEIVED 6		SERVICE# 4 DOCKET # 10	- OF - 12 SERVICES 7ED2008
PLAINTIFF	EMC MOR	TGAGE CORPORA	TION
DEFENDANT	ROSE M. W DENNIS L.	WALTON	
ATTORNEY FIRM			
PERSON/CORP TO			
DENISE OTTAVIANI 116 FROSTY VALLE		MORIGAGE I	FORECLOSURE
BLOOMSBURG	I KOAD	 	
SERVED UPON	Denise (OHaviani	
RELATIONSHIP +	ax collector	IDENTIFIC	ATION
DATE 6-17-03TH	ме 1413 м	LEAGE	OTHER
Race Sex H	leight Weight _	Eyes Hair	Age Military
TYPE OF SERVICE:	B. HOUSEHOLD IC. CORPORATIOND. REGISTERED A	MEMBER: 18+ YEA N MANAGING AGE	
	F. OTHER (SPECI	FY)	
ATTEMPTS DATE	TIME	OFFICER	REMARKS
			
DEPUTY C	Alle) (M) DATE	6-17-08

OFFICER:		SERVICE# 6 - 0	OF - 12 SERVICES
DATE RECEIVED	6/16/2008	DOCKET # 107E	· -
PLAINTIFF	EMC MORTGA	AGE CORPORATION	ON
DEFENDANT	ROSE M. WAL	TON	
	DENNIS L. WA		
ATTORNEY FIRM	LAW OFFICE		
PERSON/CORP TO	SERVED	PAPERS TO SE	
DOMESTIC RELAT	IONS	MORTGAGE FO	RECLOSURE
15 PERRY AVE.	·		
BLOOMSBURG			
SERVED UPON	GAIL GODAN		
RELATIONSHIP	Derector	IDENTIFICAT	TION
DATE 4/11/09T	TIME /586 MILE	AGE	OTHER
Race Sex	Height Weight	Eycs Hair	Age Military
TYPE OF SERVICE:	A. PERSONAL SERVI B. HOUSEHOLD MES C. CORPORATION M D. REGISTERED AGE E. NOT FOUND AT P	MBER: 18+ YEAR IANAGING AGEN ENT	Т
	F. OTHER (SPECIFY)		
ATTEMPTS DATE	TIME OF	FICER	REMARKS
DEPUTY	Japt Yourn	DATE _	6/17/08

OFFICER: DATE RECEIVED	6/16/2008	SERVICE# 9 - 0 DOCKET # 107E	OF - 12 SERVICES D2008
PLAINTIFF	EMC MORTG	AGE CORPORATION	ON
DEFENDANT	ROSE M. WAI DENNIS L. WA		
ATTORNEY FIRM	LAW OFFICE	OF GREGORY IAN	VARDIAN
PERSON/CORP TO	SERVED	PAPERS TO SE	RVED
COLUMBIA COUNT	Y TAX CLAIM	MORTGAGE FO	RECLOSURE
PO BOX 380			
BLOOMSBURG		_	
SERVED UPON	Annette	Hoffman	
RELATIONSHIP	Annette Clerk	IDENTIFICAT	TION
DATE 6-170811	me <u>1</u> 536 mile	AGE	OTHER
Race Scx H	Height Weight	Eyes Hair	Age Military
TYPE OF SERVICE:	A. PERSONAL SERVE B. HOUSEHOLD ME C. CORPORATION M D. REGISTERED AGE E. NOT FOUND AT F	MBER: 18+ YEAR IANAGING AGEN ENT	T
	F. OTHER (SPECIFY))	
			<u> </u>
ATTEMPTS DATE	TIME OF	FFICER	REMARKS
DEPUTY <	Allon	DATE	6-17-08

Article Addressed to: J.S. SMALL BUSINESS ADMINISTRACTO HILLADELPHIA DISTRICT OPFICE OBERTING, NIX FEDEAL BUILDING HILLADELPHIA, PA 19107	DER COMPLETE mplete items 1, 2, n 4 if Restricted De nt your name and a that we can return ach this card to the on the front if spac	Complete items 1, 2, 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: OFFICE OF FALIR. DEPARTMENT OF PUBLIC WELFARE PO BOX 8016 HARRISBURG, PA 17105	A. Signature X
If YES, enter delivers and the second of the	A Signature A Signature A Signature	(transier from service (abel)	Registered
Pary address below:	THIS SECTION ON DELIVERY Delivery (Prince Name) C. Date of C.	ENDER: COMPLETE DIS SECTION Complete items 1, 2,	COMPLETE THIS SECTION ON DELIVERY A Signature X
PA Dept of Public Welfare PO Box 2675 Harrisburg, PA 17105	NDER: COMPLE Complete items 1, Item 4 if Restricted Print your name an so that we can retuent the card to Attach this card to or on the front if sp	(Iransier from service label)	3. Service Type 3. Service Type Certified Mail
Velfare	complete a complete desired. In the reverse to you. The mailpiece,	Complete items 1, 2, 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece,	COMPLETE THIS SECTION ON DELIVERY A Signature A Agent A Addresse B Received by (Printed Name) C Date of Delive
If YES, enter deliver If YES, enter deliver Service Type Service Type Certified Mail Registered Insured Mail Restricted Delivery?	ਹ ਲ × ≻ 8	or on the front if space permits. I. Article Addressed to: IN TERNAL REVENUE SERVICE TECHNICAL SUPPORT GROUP WILLIAM GREEN FEDERAL BUILDING 600 ARCH STREET ROOM 3259	D. Is delivery address different from them. 1 Yes If YES, enter delivery/address below: 2 Pio
y address below:	SECTION ON DELIVERY PERSONATION ON DELIVERY PERSONATION OF DELIVERY PERSONATIO	PHG.ADELPHIA, PA 19106	3. Service Type Certified Mail
or Merchandise	1. Dl. 🛰 💢 🖼	(Transfer from service label)	1007 0710 0002 9631 4265 Return Receipt 102595-02-M-18

T. CHAMBERLAIN OFFICER: SERVICE# 5 - OF - 12 SERVICES DATE RECEIVED 6/16/2008 DOCKET # 107ED2008 PLAINTIFF **EMC MORTGAGE CORPORATION** DEFENDANT ROSE M. WALTON DENNIS L. WALTON ATTORNEY FIRM LAW OFFICE OF GREGORY JAVARDIAN PERSON/CORP TO SERVED PAPERS TO SERVED HEMLOCK SEWER-C/O GAREY MORTGAGE FORECLOSURE BITTENBENDER 82 BUCKHORN ROAD BLOOMSBURG SERVED UPON RELATIONSHIP _____ IDENTIFICATION 6-17-8 TIME _____ MILEAGE _____ OTHER ____ Race ___ Sex ___ Height ___ Weight ___ Eyes ___ Hair ___ Age ___ Military ____ TYPE OF SERVICE: A. PERSONAL SERVICE AT POA ___ POB ___ POE __ CCSO ___ B. HOUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA C. CORPORATION MANAGING AGENT D. REGISTERED AGENT E. NOT FOUND AT PLACE OF ATTEMPTED SERVICE F. OTHER (SPECIFY) **ATTEMPTS** DATE TIME OFFICER REMARKS _____ DATE _____ DEPUTY

TIMOTHY T. CHAMBERLAIN



PHONE (570) 389-5622

SHERIFF OF COLUMBIA COUNTY COURT HOUSE - P.O. 80X 380 BLOOMSBURG, PA 17815 FAX: (570) 389-5625

24 HOUR PHONE (570) 784-6300

F	ACSIMILE TRANSMITTAL SHEET
TO: Gasey	PROM: 1/m
COMPANY:	DATE: 6-17-08
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE	YOUR REFERENCE NUMBER:
☐ URGENT ☐ FOR REVIEW	☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE
NOTES/COMMENTS: ATTACHED ARE DO	CUMENTS FROM THE COLUMBIA COUNTY SHERIFF'S

OFFICE. IF YOU HAVE ANY QUESTIONS CONCERNING THESE DOCUMENTS,

,

PLEASE CALL 570.389.5622. THANK YOU.



911ONE (570) 389-3622 24 HOUR PHONE (370) 784-6300

Tuesday, June 17, 2008

HEMLOCK SEWER-C/O GAREY BITTENBENDER 82 BUCKHORN ROAD BLOOMSBURG, PA 17815-

EMC MORTGAGE CORPORATION VS ROSE M. WALTON DENNIS L. WALTON

DOCKET # 107ED2008

JD # 267JD2008

Dear Sir:

Enclosed is a notice of an upcoming Sheriff's Sale. If you have any claims against this property, notify this office **IMMEDIATELY**.

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

Respectfully,

Timothy T. Chamberlain Sheriff of Columbia County

Timothy T. Chambalain

LAW OFFICES OF GREGORY JAVARDIAN By: GREGORY JAVARDIAN, ESQUIRE IDENTIFICATION NO. 55669 1310 INDUSTRIAL BOULEVARD 1ST FLOOR, SUITE 101 SOUTHAMPTON, PA 18966 (215) 942-9690

EMC MORTGAGE CORPORATION

COURT OF COMMON PLEAS

VS.

COLUMBIA COUNTY

ROSE M. WALTON DENNIS L. WALTON

No.: 2008-CV-267 2008-ED-187

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: ROSE M. WALTON

DENNIS L. WALTON

34 MAGGIE SPRINGS ROAD BLOOMSBURG, PA 17815

Your house (real estate) at 34 MAGGIE SPRINGS ROAD, BLOOMSBURG, PA 17815, is scheduled to be sold at Sheriff's Sale on August 27, 2008 at 10:00 am in the Office of the Sheriff, Columbia County Courthouse, Bloomsburg, PA 17815, to enforce the court judgment of \$305,097.74, obtained by EMC MORTGAGE CORPORATION, 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 cancelled if you pay to the mortgagee the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call: (215) 942-9690.
- 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 notice on page two 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 (215) 942-9690.
- 2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.
- 3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened, you may call Gregory Javardian, Esquire at (215) 942-9690.
- 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 the right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
- 6. You may be entitled to a share of the money which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days.
- 7. You may also have other rights and defenses, or ways of getting your home back, if you act immediately after the sale.

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

NORTH PENN LEGAL SERVICES 168 E. 5TH STREET BLOOMSBURG, PA 17815 TELEPHONE: (570) 784-8760

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

Wednesday, August 27th, 2008 at 10:00 A.M.

BY VIRTUE OF WRIT OF EXECUTION NO. 107ED2008 AND CIVIL WRIT NO. 267JD2008 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 Hemlock Township, Columbia County, Pennsylvania bounded and described as follows, to wit:

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

IMPROVEMENTS: RESIDENTIAL DWELLING.

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.

Wednesday, August 27th, 2008 at 10:00 A.M.

BY VIRTUE OF WRIT OF EXECUTION NO. 107ED2008 AND CIVIL WRIT NO. 267JD2008 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 Hemlock Township, Columbia County, Pennsylvania bounded and described as follows, to wit:

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

IMPROVEMENTS: RESIDENTIAL DWELLING.

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,

Wednesday, August 27th, 2008 at 10:00 A.M.

BY VIRTUE OF WRIT OF EXECUTION NO. 107ED2008 AND CIVIL WRIT NO. 267JD2008 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 Hemlock Township, Columbia County, Pennsylvania bounded and described as follows, to wit:

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

IMPROVEMENTS: RESIDENTIAL DWELLING.

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.

Wednesday, August 27th, 2008 at 10:00 A.M.

BY VIRTUE OF WRIT OF EXECUTION NO. 107ED2008 AND CIVIL WRIT NO. 267JD2008 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 Hemlock Township, Columbia County, Pennsylvania bounded and described as follows, to wit:

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

IMPROVEMENTS: RESIDENTIAL DWELLING.

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.

Wednesday, August 27th, 2008 at 10:00 A.M.

BY VIRTUE OF WRIT OF EXECUTION NO. 107ED2008 AND CIVIL WRIT NO. 267JD2008 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 Hemlock Township, Columbia County, Pennsylvania bounded and described as follows, to wit:

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

IMPROVEMENTS: RESIDENTIAL DWELLING.

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.

Wednesday, August 27th, 2008 at 10:00 A.M.

BY VIRTUE OF WRIT OF EXECUTION NO. 107ED2008 AND CIVIL WRIT NO. 267JD2008 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 Hemlock Township, Columbia County, Pennsylvania bounded and described as follows, to wit:

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

IMPROVEMENTS: RESIDENTIAL DWELLING.

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.

Wednesday, August 27th, 2008 at 10:00 A.M.

BY VIRTUE OF WRIT OF EXECUTION NO. 107ED2008 AND CIVIL WRIT NO. 267JD2008 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 Hemlock Township, Columbia County, Pennsylvania bounded and described as follows, to wit:

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rosc M. Walton, husband and wife.

IMPROVEMENTS: RESIDENTIAL DWELLING,

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.

REAL ESTATE OUTLINE

ED#<u>/07-08</u>

DATE RECEIVED 6-16-08 DOCKET AND INDEX 6-17-08	3
CHECK FOR PROPER WRIT OF EXECUTION COPY OF DESCRIPTION WHEREABOUTS OF LKA NON-MILITARY AFFIDAVIT NOTICES OF SHERIFF SALE WAIVER OF WATCHMAN AFFIDAVIT OF LIENS LIST CHECK FOR \$1,350.00 OR**IF ANY OF ABOVE IS MISSIN	CK# 45348
SALE DATE POSTING DATE ADV. DATES FOR NEWSPAPER	Aus. 27, 08 TIME 1000 July 22, 8 1 ST WEEK 44 6 2 ND WEEK 13 3 RD WEEK 20, 08

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

EMC MORTGAGE CORPORATION	IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA
vs.	NO. 2000 CTV 247
ROSE M. WALTON DENNIS L. WALTON	NO.: 2008-CV-267 2008-CV-267 2008-CV-267 WRIT OF EXECUTION (MORTGAGE FORECLOSURE)
Commonwealth of Pennsylvania:	
County of Columbia:	
TO THE SHERIFF OF <u>COLUMBIA</u> COUNT	Y. PENNSYLVANIA:
To satisfy the judgment, interest and costs in following described property (specifically described)	the above matter you are directed to levy upon and self the ribed property below):
Premises: 34 MAGGIE SPRINGS ROAD, BLOO	MSBURG, PA 17815.
(See legal description attached.)	
Amount Due	\$ <u>305,097.74</u>
Interest from 5/28/08 to Date of Sale (\$50.15 per diem)	\$
Total	\$ Plus Cost \$
as endorsed.	•
	Lame B. Klene
	Prothonotary, Common Pleas Court
Dated June 11, 2008 (Seal)	of Columbia County, Pennsylvania

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

COMMONWEALTH OF PENNSYLVANIA COUNTY OF COLUMBIA

EMC MORTGAGE CORPORATION

COURT OF COMMON PLEAS

VS.

COLUMBIA COUNTY

ROSE M. WALTON DENNIS L. WALTON

No.: 2008-CV-267

2008-ED-107

PRAECIPE FOR WRIT OF EXECUTION MORTGAGE FORECLOSURE

TO THE PROTHONOTARY:			
Kindly issue Writ of Execution in the above	e matter.	э . Э . Э .	
Amount Due	\$305,097.74		-
Interest from 5/28/08 to Date of Sale @ \$50.15 per diem	\$	26-11 27-03 27-03	
Subtotal (Costs to be added)	\$		

GREGORY JAVARDIAN, ESQUIRE

Atterney for Plaintiff

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

EMC MORTGAGE CORPORATION

COURT OF COMMON PLEAS

VS.

COLUMBIA COUNTY

ROSE M. WALTON DENNIS L. WALTON No.: 2008-CV-267 2008-ED-107

AFFIDAVIT PURSUANT TO RULE 3129.1

Plaintiff in the above action sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at <u>34 MAGGIE SPRINGS</u> ROAD, BLOOMSBURG, PA 17815:

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

Name

Last Known Address (if address cannot be reasonably ascertained, please indicate)

ROSE M. WALTON

34 MAGGIE SPRINGS ROAD BLOOMSBURG, PA 17815

DENNIS L. WALTON

34 MAGGIE SPRINGS ROAD BLOOMSBURG, PA 17815

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

ROSE M. WALTON

34 MAGGIE SPRINGS ROAD BLOOMSBURG, PA 17815

DENNIS L. WALTON

34 MAGGIE SPRINGS ROAD 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

Last Known Address (if address cannot be reasonably ascertained, please indicate)

None.

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

Name

Last Known Address (if address cannot be reasonably ascertained, please indicate)

Plaintiff.

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

Name

Last Known Address (if address cannot be reasonably ascertained, please indicate)

None.

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

Name

Last Known Address (if address cannot be reasonably ascertained, please indicate)

Columbia County Domestic Relations

P.O. Box 380

Bloomsburg, PA 17815

Columbia County Tax Claim Bureau

P.O. Box 380

Bloomsburg, PA 17815

PA Department of Public Welfare Bureau of Child Support Enforcement Health and Welfare Building – Room 432

P.O. Box 2675

Harrisburg, PA 17105-2675

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

Last Known Address (if address cannot be reasonably ascertained, please indicate)

Tenants/Occupants

34 MAGGIE SPRINGS ROAD BLOOMSBURG, PA 17815

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

GREGORY ANDIAN, ESQUIRE Attorney for Plaintiff

June 6, 2008

EMC MORTGAGE CORPORATION

COURT OF COMMON PLEAS

VS.

COLUMBIA COUNTY

ROSE M. WALTON DENNIS L. WALTON No.: 2008-CV-267

AFFIDAVIT PURSUANT TO RULE 3129.1

Plaintiff in the above action sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at <u>34 MAGGIE SPRINGS</u> ROAD, BLOOMSBURG, PA 17815:

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

Name

Last Known Address (if address cannot be

reasonably ascertained, please indicate)

ROSE M. WALTON

34 MAGGIE SPRINGS ROAD

BLOOMSBURG, PA 17815

DENNIS L. WALTON

34 MAGGIE SPRINGS ROAD BLOOMSBURG, PA 17815

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

ROSE M. WALTON

34 MAGGIE SPRINGS ROAD

BLOOMSBURG, PA 17815

DENNIS L. WALTON

34 MAGGIE SPRINGS ROAD 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

Last Known Address (if address cannot be

reasonably ascertained, please indicate)

None.

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

Name

Last Known Address (if address cannot be reasonably ascertained, please indicate)

Plaintiff.

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

Name

Last Known Address (if address cannot be reasonably ascertained, please indicate)

None.

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

Name

Last Known Address (if address cannot be reasonably ascertained, please indicate)

Columbia County Domestic Relations

P.O. Box 380

Bloomsburg, PA 17815

Columbia County Tax Claim Bureau

P.O. Box 380

Bloomsburg, PA 17815

PA Department of Public Welfare Bureau of Child Support Enforcement Health and Welfare Building - Room 432

P.O. Box 2675

Harrisburg, PA 17105-2675

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

Last Known Address (if address cannot be reasonably ascertained, please indicate)

Tenants/Occupants

34 MAGGIE SPRINGS ROAD BLOOMSBURG, PA 17815

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

GREGORY AYARDIAN, ESQUIRE

Altorney for Plaintiff

June 6, 2008

LAW OFFICES OF GREGORY JAVARDIAN By: GREGORY JAVARDIAN, ESQUIRE IDENTIFICATION NO. 55669 1310 INDUSTRIAL BOULEVARD IST FLOOR, SUITE 101 SOUTHAMPTON, PA 18966 (215) 942-9690

EMC MORTGAGE CORPORATION

COURT OF COMMON PLEAS

vs.

COLUMBIA COUNTY

ROSE M. WALTON DENNIS L. WALTON No.: 2008-CV-267 2008 · ED:-107

CERTIFICATION TO SHERIFF OF COLUMBIA COUNTY AS TO THE SALE OF REAL ESTATE

I hereby certify that I am the attorney for the Plaintiff in this Mortgage Foreclosure Action and further certify this Property is:

- () FHA
- () Tenant Occupied
- () Vacant
- () Commercial
- () As a result of Complaint in Assumpsit
- (X) Act 91 complied with

GREÆOR∜JAYÆRDIAN, ESQUIRE

Attorney for Plaintiff

LAW OFFICES OF GREGORY JAVARDIAN By: GREGORY JAVARDIAN, ESQUIRE IDENTIFICATION NO. 55669 1310 INDUSTRIAL BOULEVARD 1ST FLOOR, SUITE 101 SOUTHAMPTON, PA 18966 (215) 942-9690

EMC MORTGAGE CORPORATION

COURT OF COMMON PLEAS

VS.

COLUMBIA COUNTY

ROSE M. WALTON DENNIS L. WALTON

No.: 2008-CV-267

2008-ED-107

CERTIFICATION TO SHERIFF OF COLUMBIA COUNTY AS TO THE SALE OF REAL ESTATE

I hereby certify that I am the attorney for the Plaintiff in this Mortgage Foreclosure Action and further certify this Property is:

- () FHA
- () Tenant Occupied
- () Vacant
- () Commercial
- () As a result of Complaint in Assumpsit
- (X) Act 91 complied with

GREGOR™JAY ARDIAN, ESQUIRE

Attorney for Plaintiff

EMC MORTGAGE CORPORATION

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY

Plaintiff

VS.

CIVIL ACTION - LAW

ROSE M. WALTON DENNIS L. WALTON IN MORTGAGE FORECLOSURE

Defendants

No.: 2008-CV-267 (2) (2008-EV)-/17

AFFIDAVIT OF NON-MILITARY SERVICE AND CERTIFICATION OF LAST KNOWN ADDRESS OF DEFENDANTS AND PLAINTIFF

COMMONWEALTH OF PENNSYLVANIA

SS

COUNTY OF BUCKS

The undersigned, being duly sworn according to law, deposes and says this affidavit is made on behalf of the above plaintiff, being authorized to do so, and it is averred that:

- (a) ROSE M. WALTON is over 21 years of age, resides at 34 MAGGIE SPRINGS ROAD, BLOOMSBURG, PA 17815;
- (b) DENNIS L. WALTON is over 21 years of age, resides at resides at 34 MAGGIE SPRINGS ROAD, BLOOMSBURG, PA 17815;
- (c) Plaintiff, EMC MORTGAGE CORPORATION, is an institution conducing business under the Laws of the Commonwealth of Pennsylvania with an address of 800 STATE HIGHWAY 121 BYPASS, LEWISVILLE, TX 75067-4180

Deponent further avers that none of the above is within the protection of the Soldiers' and Sailors' Civil Relief Act of 1940, together with the amendments thereto.

GREGORY JAVARDIAN, ESQUIRE

Attorney for Plaintiff

Sworn to and subscribed before me

this 10th day of Que

Votary Public THOF PENNEYLVANIA

NOTARIAL SEAL
TINA E. POPER, Notary Public
Upper Southampton Twp.. Bucks County
Ny Commission Expires November 29, 2008

WAIVER OF WATCHMAN

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

GREGORY JAWARDIAN, ESQ. AFTORNEY FOR PLAINTIFF 1310 INDUSTRIAL BOULEVARD

1ST FLOOR, SUITE 101

SOUTHAMPTON, PA 18966

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

LAW OFFICES OF GREGORY JAVARDIAN By: GREGORY JAVARDIAN, ESQUIRE IDENTIFICATION NO. 55669 1310 INDUSTRIAL BOULEVARD 1ST FLOOR, SUITE 101 SOUTHAMPTON, PA 18966 (215) 942-9690

EMC MORTGAGE CORPORATION

COURT OF COMMON PLEAS

VS.

COLUMBIA COUNTY

ROSE M. WALTON DENNIS L. WALTON No.: 2008-CV-267

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: ROSE M. WALTON
DENNIS L. WALTON
34 MAGGIE SPRINGS ROAD
BLOOMSBURG, PA 17815

Your house (real estate) at <u>34 MAGGIE SPRINGS ROAD, BLOOMSBURG, PA 17815</u>, is scheduled to be sold at Sheriff's Sale on ______, 2008 at ______, in the Office of the Sheriff, Columbia County Courthouse, Bloomsburg, PA 17815, to enforce the court judgment of \$305,097.74, obtained by EMC MORTGAGE CORPORATION, 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 cancelled if you pay to the mortgagee the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call: (215) 942-9690.
- 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 notice on page two 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 (215) 942-9690.
- 2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.
- 3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened, you may call Gregory Javardian, Esquire at (215) 942-9690.
- 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 the right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
- 6. You may be entitled to a share of the money which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days.
- 7. You may also have other rights and defenses, or ways of getting your home back, if you act immediately after the sale.

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

NORTH PENN LEGAL SERVICES 168 E. 5TH STREET BLOOMSBURG, PA 17815 TELEPHONE: (570) 784-8760

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishline Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

SHERIFF'S RETURN OF SERVICE COLUMBIA COUNTY

PLAINTIFF COURT NO.: 2008-CV-267 EMC MORTGAGE CORPORATION 2008-ED-107 DEFENDANT TYPE OF ACTI ROSE M. WALTON **DENNIS L. WALTON** XX Notice of Sheriff's Sale SERVE AT: 34 MAGGIE SPRINGS ROAD **BLOOMSBURG, PA 17815** PLEASE POST SHERIFF'S HAND BILL. **SERVED** Served and made known to _______, Defendant, on the ____ day of ______, 2008, at ______, o'clock __. M., at _______, Commonwealth of Pennsylvania, in the manner described below: ___ Defendant personally served. ___Adult family member with whom Defendant(s) reside(s). Relationship is Adult in charge of Defendant's residence who refused to give name or relationship. ___ Manager/Clerk of place of lodging in which Defendant(s) reside(s). ___ Agent or person in charge of Defendant's office or usual place of business. an officer of said Defendant's company. Other: Description: Age _____ Height ____ Weight ____ Race ___ Sex ___ Other ____ 10 SHERIFF By: ______Deputy Sheriff On the _____ day of ______, 2008, at ____ o'clock _. M., Defendant NOT FOUND because: __ Moved __ Unknown __ No Answer __ Vacant Other: SHERIFF By: Deputy Sheriff **DEPUTIZED SERVICE SHERIFF** By: ______ Deputy Sheriff

ATTORNEY FOR PLAINTIFF GREGORY JAVARDIAN, ESQUIRE I.D.#55669 1310 Industrial Boulevard 1st Floor, Suite 101 Southampton, PA 18966 (215) 942-9690

SHERIFF'S RETURN OF SERVICE COLUMBIA COUNTY

PLAINTIFF **COURT NO.: 2008-CV EMC MORTGAGE CORPORATION** DEFENDANT TYPE OF ACTION ROSE M. WALTON DENNIS L. WALTON XX Notice of Sheriff's Sale SERVE AT: 34 MAGGIE SPRINGS ROAD **BLOOMSBURG, PA 17815** PLEASE SERVE DEFENDANTS WITH NOTICE OF SHERIFF'S SALE. **SERVED** Served and made known to _______, Defendant, on the ____ day of 2008, at ______, o'clock ___ M., at _______, Commonwealth of Pennsylvania, in the manner described below: ___ Defendant personally served. ___ Adult family member with whom Defendant(s) reside(s). Relationship is ___ Adult in charge of Defendant's residence who refused to give name or relationship. ___ Manager/Clerk of place of lodging in which Defendant(s) reside(s). Agent or person in charge of Defendant's office or usual place of business. an officer of said Defendant's company. Other: Description: Age _____ Height ____ Weight ____ Race ___ Sex ___ Other ____ SHERIFF By: Deputy Sheriff On the _____ day of ______, 2008, at ____ o'clock _. M., Defendant NOT FOUND because: __ Moved __ Unknown __ No Answer __ Vacant Other: SHERIFF By: ______Deputy Sheriff DEPUTIZED SERVICE Now, this day of ________, 2008, I, Sheriff of Columbia County, Pennsylvania, do hereby deputize the Sheriff of _______ County to serve this Notice of Sheriff's Sale and make return thereof and according to law. SHERIFF By: _____ Deputy Sheriff

ATTORNEY FOR PLAINTIFF GREGORY JAVARDIAN, ESQUIRE I.D.#55669 1310 Industrial Boulevard 1st Floor, Suite 101 Southampton, PA 18966 (215) 942-9690

BEGINNING at a stone (found) common corner with lands of Myles W. and Joanne M. Katerman and common corner with lands of Arla Appleman, Arlene Fetterman, Earl Walters and Raymond Applegate, North 18 degrees 25 minutes 07 seconds West, 1,197.09 feet to a No. 5 rebar (set with cap) in line of lands of Esther M. Brown; thence along lands of said Brown and along lands of the aforesaid Myles W. and Joanne M. Katerman, South 77 degrees 52 minutes 39 seconds East, 1,456.95 feet to a No. 5 rebar (set with cap); thence along lands of said Katerman, South 11 degrees 16 minutes 21 seconds West, 542.47 feet to a No. 5 rebar (set with cap); thence along same, South 72 degrees 25 minutes 29 seconds West, 986.23 feet to a stone (found), the place of beginning. CONTAINING 22.621 acres of land in all.

The above described tract of land is more fully shown on a survey draft by Beishlinc Surveying of Stillwater, PA, dated March 25, 1987.

BEING THE SAME PREMISES which Michael J. Craver by Deed dated June 25, 1999 and recorded July 1, 1999 in the Office of the Recorder of Deeds in and for Columbia County in Deed Book 730, Page 405, granted and conveyed unto Dennis L. Walton and Rose M. Walton, husband and wife.

THE LAW OFFICES OF GREGORY JAVARDIAN
ESCROW ACCOUNT
1310 INDUSTRIAL BLVD., SUITE 101
SOUTHAMPTON, PA 18966

FIRSTRUST 3-7380-2360

6/9/2008

\$ **1,350.00

Œ

DOLLARS

Security Features Included.

EMC VS. WALTON, R.

MEMO

S l

70 1603763# "O45348" (235073801)

90-20 / 690180

PAY TO THE Sheriff ORDER OF