

iron pipe 8.40 feet East from corner; thence by lands of Jeffrey L. and Laurel C. Archey, by lands of David E. Bardo, and by lands of Jerry R. Sr. and Shirley M. Collins South 76 degrees 49 minutes 06 seconds East, 344.00 feet to an iron pin; thence by lands of said Collins North 9 degrees 26 minutes 05 seconds East, 178.18 feet to the place of BEGINNING. CONTAINING 23.641 acres of land.

Together with that certain access easement and right-of-way more specifically described as follows:

BEGINNING at a point on the northern edge of right-of-way of Township Route No. 346 North 4 degrees 58 minutes 50 seconds West, 25.31 feet; North 85 degrees 01 minutes 10 seconds West, 341.62 feet; thence by other lands of the Vieting Estate South 10 degrees 25 minutes 46 seconds East 50.28 feet to an iron pin; thence by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 296.37 feet; thence by the northern edge of Township Route No. 346 North 65 degrees 34 minutes 58 seconds West, 45.55 feet; thence by the same North 82 degrees 16 minutes 02 seconds West, 10.57 feet.

The aforesaid access easement shall be appurtenant to the premises herein described, nonexclusive and perpetual.

BEING the remaining portion of the same premises which William R. Barstler, Executor of the Estate of Frederick B. Vietig, Jr., by his Deed dated May 26, 1993, and duly recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 535 at Page 0802, et. seq., granted and conveyed unto Pinebrook Homes, Inc.

**Parcel #2**

BEGINNING at a point in the center of Township Route No. 346; said point also having an iron pin on line South 17.27 feet from corner; thence by lands of Thomas L. and Cecile A. Ohl South 10 degrees 25 minutes 46 seconds East, 612.87 feet to an iron pin; thence by other lands of the Vietig Estate North 81 degrees 28 minutes 56 seconds West, 1,489.53 feet to an existing iron pin; thence by the same North 81 degrees 43 minutes 14 seconds West, 727.23 feet to an existing iron pin; thence by lands of Forest M. Cooper North 8 degrees 36 minutes 28 seconds East, 1,762.20 feet to an existing iron pin; thence by lands of Matthew W. Laidacker North 83 degrees 53 minutes 10 seconds East, 619.98 feet to an existing iron pin in a pine stump; thence by lands of Robert E. and Patricia A. Conlon South 84 degrees 32 minutes 52 seconds East, 940.50 feet to an existing witnessed stone corner; thence by other lands of the Vietig Estate South 10 degrees 25 minutes 46 seconds East, 1,203.22 feet to an iron pin on the southern edge of a proposed 50 feet right-of-way; thence by the said edge of proposed right-of-way and by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 330.00 feet to a point in the center of Township Route No. 346; thence by the center line of Township Route No. 346 the following courses and distances: South 65 degrees 34 minutes 58 seconds East, 34.47 feet; South 53 degrees 22 minutes 23 seconds East, 58.56 feet; South 50 degrees 09 minutes 44 seconds East, 241.51 feet; South 55 degrees 11 minutes 01 seconds East, 32.88 feet; South 71 degrees 06 minutes 25 seconds East, 34.24 feet; North 86 degrees 48 minutes 16 seconds East, 33.89 feet; North 83 degrees 20 minutes 39 seconds East, 19.37 feet to the place of BEGINNING. FORMERLY CONTAINING 81.303 acres of land.

LESS AND EXCEPTING the following 66 parcels as more fully described in Instruments recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania and as described herein below:

1. Pinebrook Homes, Inc. to Hunters Chase South Homcowners Assoc., Inc. by Deed dated March 21, 1994 and recorded March 22, 1994 in Record Book 563 at Page 977, et seq.
2. Pinebrook Homes, Inc. to Robert W. Puterbaugh, Jr. and Charity A. Puterbaugh by Deed dated May 9, 1994 and recorded May 9, 1994 in Record Book 568 at Page 123, et seq.
3. Pinebrook Homes, Inc. to Maureen E. Wood by Deed dated July 28, 1994 and recorded July

29, 1994 in Record Book 575 at Page 369, et seq.

4. Pinebrook Homes, Inc. to Scott M. McDade and Nancy A. McDade by Deed dated August 23, 1994 and recorded August 25, 1994 in Record Book 577 at Page 744, et seq.
5. Pinebrook Homes, Inc. to Hemlock Township by Deed dated April 12, 1994 and recorded September 20, 1994 in Record Book 579 at Page 860, et seq.
6. Pinebrook Homes, Inc. to George E. Gallick, III and Christeen J. Gallick by Deed dated October 3, 1994 and recorded October 3, 1994 in Record Book 580 at Page 994, et seq.
7. Pinebrook Homes, Inc. to Donald W. Young by Deed dated December 16, 1994 and recorded December 16, 1994 in Record Book 586 at Page 582, et seq.
8. Pinebrook Homes, Inc. to Dennis R Thomas and Margaret A. Thomas by Deed dated December 19, 1994 and recorded December 21, 1994 in Record Book 586 at Page 971, et seq.
9. Pinebrook Homes, Inc. to Thomas M. Kresch, Jr. and Deborah S. Kresch by Deed dated December 29, 1994 and recorded December 30, 1994 in Record Book 587 at Page 607, et seq.
10. Pinebrook Homes, Inc. to Harry K. Snyder and Linda J. Snyder by Deed dated December 30, 1994 and recorded December 30, 1994 in Record Book 587 at Page 734, et seq.
11. Pinebrook Homes, Inc. to Wilbur L. Grozier and Jean E. Grozier by Deed dated February 16, 1995 and recorded February 16, 1995 in Record Book 590 at Page 532, et seq.
12. Pinebrook Homes, Inc. to Raymond O'Donnell and Roberta Lynn O'Donnell by Deed dated March 31, 1995 and recorded March 31, 1995 in Record Book 593 at Page 115, et seq.
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18. Pinebrook Homes, Inc. to Ralph L. Woodruff, Jr. and Tracy A. Woodruff by Deed dated August 22, 1995 and recorded August 24, 1995 in Record Book 604 at Page 359, et seq.
19. Pinebrook Homes, Inc. to Christopher J. Keller and Paula M. Keller by Deed dated August 30, 1995 and recorded September 1, 1995 in Record Book 605 at Page 54, et seq.

20. Pinebrook Homes, Inc. to George M. Migias and Stephanie M. Migias by Deed dated September 29, 1995 and recorded October 10, 1995 in Record Book 608 at Page 252, et seq.
21. Pinebrook Homes, Inc. to Todd H. Kephart and Kelly L. Kephart by Deed dated October 12, 1995 and recorded October 13, 1995 in Record Book 608 at Page 668, et seq.
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24. Pinebrook Homes, Inc. to Marion E. Thomas and Mildred E. Thomas by Deed dated March 25, 1996 and recorded April 1, 1996 in Record Book 620 at Page 186, et seq.
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27. Pinebrook Homes, Inc. to John S. Laidacker and Joan R. Laidacker by Deed dated June 7, 1996 and recorded June 7, 1996 in Record Book 626 at Page 940, et seq.
28. Pinebrook Homes, Inc. to Carl W. Naessig, III and Fawzieh K. Naessig by Deed dated June 21, 1996 and recorded June 21, 1996 in Record Book 628 at Page 385, et seq.
29. Pinebrook Homes, Inc. to Lawrence Petruzzelli and Theresa E. Petruzzelli by Deed dated July 2, 1996 and recorded July 3, 1996 in Record Book 629 at Page 617, et seq.
30. Pinebrook Homes, Inc. to Vernon D. Ryman by Deed dated July 12, 1996 and recorded July 12, 1996 in Record Book 630 at Page 470, et seq.
31. Pinebrook Homes, Inc. to Mary I. Simpson by Deed dated September 25, 1996 and recorded September 25, 1996 in Record Book 637 at Page 693, et seq.
32. Pinebrook Homes, Inc. to Robert M. Dirienzo and Karen Leigh Minner by Deed dated October 15, 1996 and recorded October 16, 1996 in Record Book 639 at Page 165, et seq.
33. Pinebrook Homes, Inc. to Carson D. Ryman and Betty J. Ryman by Deed dated December 12, 1996 and recorded December 13, 1996 in Record Book 643 at Page 1053, et seq.
34. Pinebrook Homes, Inc. to Lyle D. Johnson and Beverly E. Johnson by Deed dated June 6, 1997 and recorded July 6, 1997 in Record Book 657 at Page 207, et seq.
35. Pinebrook Homes, Inc. to Matthew A. Stone and Denise A. Stone by Deed dated June 11, 1997 and recorded June 11, 1997 in Record Book 657 at Page 572, et seq.
36. Pinebrook Homes, Inc. to F. Daniel Webber and Patricia A. Webber by Deed dated June 12, 1997 and recorded June 20, 1997 in Record Book 658 at Page 462, et seq.
37. Pinebrook Homes, Inc. to John A. Traupman and Lori M. Traupman by Deed dated June 19, 1997 and recorded June 25, 1997 in Record Book 658 at Page 994, et seq.

38. Pinebrook Homes, Inc. to Chao Huang Hu and Chi Wen Hu by Deed dated August 21, 1997 and recorded August 29, 1997 in Record Book 664 at Page 968, et seq.
39. Pinebrook Homes, Inc. to Henry M. Guzevich and Jodi L. Guzevich by Deed dated September 30, 1997 and recorded October 1, 1997 in Record Book 668 at Page 162, et seq.
40. Pinebrook Homes, Inc. to Richard Myron Linn by Deed dated October 17, 1997 and recorded October 20, 1997 in Record Book 669 at Page 570, et seq.
41. Pinebrook Homes, Inc. to Robert W. Puterbaugh and Charity A. Puterbaugh by Deed dated May 9, 1994 and recorded December 9, 1997 in Record Book 673 at Page 725, et seq.
42. Pinebrook Homes, Inc. to Salvatore I. Marrazzo and Ida Marrazzo by Deed dated April 30, 1998 and recorded April 30, 1998 in Record Book 686 at Page 538, et seq.
43. Pinebrook Homes, Inc. to Jack V. Sorber and Aileen K. Sorber by Deed dated June 1, 1998 and recorded June 1, 1998 in Record Book 689 at Page 832, et seq.
44. Pinebrook Homes, Inc. to Vivian R. Kitchen by Deed dated August 14, 1998 and recorded August 14, 1998 in Record Book 697 at Page 319, et seq.
45. Pinebrook Homes, Inc. to Margaret R. Loftus by Deed dated August 17, 1998 and recorded August 17, 1998 in Record Book 697 at Page 682, et seq.
46. Pinebrook Homes, Inc. to Edward R. Kramer and Evelyn M. Kramer by Deed dated October 23, 1998 and recorded October 23, 1998 in Record Book 703 at Page 918, et seq.
47. Pinebrook Homes, Inc. to Hemlock Township by Deed dated October 15, 1998 and recorded November 25, 1998 in Record Book 707 at Page 480, et seq.
48. Pinebrook Homes, Inc. to William I. McElroy and Gloria E. McElroy by Deed dated December 3, 1998 and recorded December 4, 1998 in Record Book 708 at Page 288, et seq.
49. Pinebrook Homes, Inc. to Janice D. Lanning by Deed dated December 4, 1998 and recorded December 9, 1998 in Record Book 708 at Page 783, et seq.
50. Pinebrook Homes, Inc. to Irmgard K. Devlin by Deed dated June 24, 1999 and recorded June 24, 1999 in Record Book 729 at Page 701, et seq.
51. Pinebrook Homes, Inc. to Vishakha W. Rawool by Deed dated June 25, 1999 and recorded June 30, 1999 in Record Book 730 at Page 176, et seq.
52. Pinebrook Homes, Inc. to Edith Marie Mergler by Deed dated July 1, 1999 and recorded July 1, 1999 in Record Book 730 at Page 586, et seq.
53. Pinebrook Homes, Inc. to Stephen D. Brewer and Kathy A. Brewer by Deed dated June 29, 1999 and recorded July 7, 1999 in Record Book 730 at Page 962, et seq.
54. Pinebrook Homes, Inc. to Walter J. Mergler and Janet I. Mergler by Deed dated July 23, 1999 and recorded July 26, 1999 in Record Book 732 at Page 820, et seq.
55. Pinebrook Homes, Inc. to Paul O. Bitler and Mary Jane Bitler by Deed dated August 17, 1999 and recorded August 18, 1999 in Record Book 735 at Page 401, et seq.

56. Pinebrook Homes, Inc. to Gary P. Sohosky and Elizabeth K. Sohosky by Deed dated August 27, 1999 and recorded August 31, 1999 in Record Book 736 at Page 758, et seq.
57. Pinebrook Homes, Inc. to George E. Gallagher and Diane J. Gallagher by Deed dated October 15, 1999 and recorded October 18, 1999 at Instrument No. 199909620
58. Pinebrook Homes, Inc. to Eugene K. Brown by Deed dated October 28, 1999 and recorded October 28, 1999 at Instrument No. 199909974
59. Pinebrook Homes, Inc. to Frank Baggetta and Shenna Baggetta by Deed dated December 3, 1999 and recorded December 3, 1999 at Instrument No. 199911283
60. Pinebrook Homes, Inc. to Keith D. Andreas and Dianne L. Andreas by Deed dated January 18, 2000 and recorded January 18, 2000 at Instrument No. 200000534
61. Pinebrook Homes, Inc. to Donald M. Wilt and Janice C. Wilt by Deed dated March 1, 2000 and recorded March 1, 2000 at Instrument No. 200001909
62. Pinebrook Homes, Inc. to Ricky I. Scandle and Lori J. Scandle by Deed dated April 19, 2000 and recorded April 20, 2000 at Instrument No. 200003527
63. Pinebrook Homes, Inc. to Donald G. Pellman and Violet A. Pellman by Deed dated May 1, 2000 and recorded May 1, 2000 at Instrument No. 200003874
64. Pinebrook Homes, Inc. to Nancy A. Johnson by Deed dated June 2, 2000 and recorded June 2, 2000 at Instrument No. 200005169
65. Pinebrook Homes, Inc. to Clifford J. Farides and Toni Farides by Deed dated June 21, 2000 and recorded June 23, 2000 at Instrument No. 200005991
66. Pinebrook Homes, Inc. to Mark T. Potora and Stacey L. Potora by Deed dated February 8, 2002 and recorded February 13, 2002 at Instrument No. 200201864

TOGETHER with that certain 50 foot right-of-way over above described lands leading from Township Route No. 346 to other lands of the Vietig Estate and described as follows: BEGINNING at a point on the northern edge of right-of-way of Township Route 346 North 4 degrees 58 minutes 50 seconds West, 25.31 feet; North 85 degrees 01 minutes 10 seconds East, 341.62 feet; thence by other lands of the Vietig Estate South 10 degrees 25 minutes 46 seconds East, 50.28 feet to an iron pin; thence by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 296.37 feet; thence by the northern edge of Township Route 346 North 65 degrees 34 minutes 58 seconds West, 45.55 feet; thence by the same North 82 degrees 16 minutes 02 seconds West, 10.57 feet.

The aforesaid access easement shall be appurtenant to the premises herein described, nonexclusive and perpetual.

BEING the remaining portion of the same premises which William R. Barstler, Executor of the Estate of Frederick B. Vietig, Jr., by his Deed dated July 22, 1993, and duly recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 541 at Page 0910, et. seq., granted and conveyed unto Pinebrook Homes, Inc. TAX PARCELS 18-02-004-07.000 and 18-06-022-00.000

#### **TERMS OF SALE**

**MINIMUM PAYMENT AT TIME OF SALE:** The greater of ten (10%) percent of the bid price or costs (opening bid at sale). Minimum payment is to be paid in cash, certified check or cashier's check at time of sale.

**REMAINING BALANCE OF BID PRICE:** Any remaining amount of the bid price is to be paid within (8) days after the sale is cash, certified check or cashier's check.

**IMPORTANT NOTICE FOR FAILURE TO PAY BID PRICE: FAILURE TO PAY THE BID PRICE IN ACCORDANCE WITH THESE TERMS MAY RESULT IN SERIOUS FINANCIAL CONSEQUENCES TO THE BIDDER. DO NOT BID UNLESS FUNDS ARE AVAILABLE FOR PAYMENT WITHIN THE PRESCRIBED TIME PERIOD.**

If the successful bidder fails to pay the bid price as per the above terms, the Sheriff may elect either to sue the bidder for the balance due without a resale of the property, or to resell the property at the bidder's risk and maintain an action against the bidder for breach of contract. In the case of a default all sums paid by bidder will be considered forfeited, but will be applied against any damages recoverable. The defaulting bidder will be responsible for any attorney fees incurred by the Sheriff in connection with any action against the bidder in which the bidder is found liable for damages.

Plaintiff's Attorney  
Marc Hess  
PO Box 1140  
Lebanon, PA 17042

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

# SHERIFF'S SALE

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WEDNESDAY MARCH 25, 2009 AT 9:00 AM

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BY VIRTUE OF A WRIT OF EXECUTION NO. 220 OF 2008 ED AND CIVIL WRIT NO. 1888 OF 2008 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:

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ALL THOSE TWO (2) CERTAIN pieces, parcels and tracts of land situate in the Township of Hemlock, County of Columbia and Commonwealth of Pennsylvania, more specifically described as follows:

**Parcel #1**

BEGINNING at an existing iron pin on the edge of right-of-way of State Route No. 4010; said iron pin also being the northwest corner of lands of Jerry R. Sr. and Shirley M. Collins; thence by the edge of State Route No. 4010 South 62 degrees 38 minutes 49 seconds East, 18.82 feet to a point; thence by lands of Dorothy J. Harvey and crossing a tributary of Hemlock Creek South 9 degrees 26 minutes 05 seconds West, 190.82 feet to an existing oak tree; thence by the same South 56 degrees 36 minutes 39 seconds East, 318.29 feet to a triple oak tree; thence by lands of Dennis P. Harvey South 15 degrees 50 minutes 56 seconds East, 187.72 feet to an oak tree; thence by lands of Kenneth L. and Linda M. Wenner and Dale W. and Margaret A. Payne South 26 degrees 43 minutes 52 seconds East, 186.67 feet to an iron pin; thence by lands of Ronald D. Payne South 33 degrees 50 minutes 17 seconds East, 93.00 feet to an iron pin; thence by lands of Dale W. and Margaret A. Payne South 59 degrees 35 minutes 17 seconds East, 57.00 feet to an iron pin; thence by the same North 39 degrees 54 minutes 43 seconds East, 100.00 feet to an iron pin; thence by the same North 52 degrees 54 minutes 43 seconds East, 100.00 feet to an iron pin; thence by the same North 83 degrees 39 minutes 43 seconds East, 16.47 feet to a point in Hemlock Creek; thence by the center of Hemlock Creek to the following courses and distances; South 38 degrees 59 minutes 21 seconds West, 76.71 feet; South 53 degrees 36 minutes 48 seconds West, 96.39 feet; South 23 degrees 13 minutes 01 seconds West, 37.53 feet; South 21 degrees 34 minutes 19 seconds East, 39.93 feet; South 39 degrees 36 minutes 17 seconds East, 149.41 feet; South 17 degrees 19 minutes 53 seconds East, 32.44 feet; South 21 degrees 50 minutes 16 seconds West, 26.21 feet; South 10 degrees 00 minutes 45 seconds West, 168.26 feet; South 21 degrees 57 minutes 19 seconds West, 109.09 feet; South 42 degrees 19 minutes 30 seconds West, 108.42 feet; South 75 degrees 38 minutes 00 seconds West, 143.90 feet; South 30 degrees 50 minutes 24 seconds West, 54.44 feet; South 6 degrees 14 minutes 20 seconds West, 102.02 feet; South 13 degrees 01 minutes 57 seconds West, 155.52 feet; South 16 degrees 50 minutes 38 seconds East, 171.33 feet; South 38 degrees 11 minutes 25 seconds East, 74.86 feet; North 83 degrees 13 minutes 54 seconds East, 9.47 feet; thence by lands of Robert P. and Mary Mae Mausteller South 2 degrees 48 minutes 24 seconds East, 30.68 feet to a point on the northern edge of right-of-way of Township Route No. 346; thence by the said edge of Township Route No. 346 the following courses and distance: North 80 degrees 09 minutes 16 seconds West, 87.62 feet; North 86 degrees 53 minutes 29 seconds West, 194.11 feet; South 86 degrees 29 minutes 57 seconds West, 37.71 feet; South 83 degrees 20 minutes 39 seconds West, 76.07 feet to a point having an existing iron pin 5.69 feet North from corner; thence by lands of Stanley T. and Elva D. Fruit, by other lands of Frederick B. Vicking Estate North 10 degrees 25 minutes 46 seconds West, 1,449.31 feet to an existing stone corner; thence by lands of Robert E. and Patricia A. Conlon North 9 degrees 41 minutes 27 seconds West, 449.74 feet to a point having an existing

iron pipe 8.40 feet East from corner; thence by lands of Jeffrey L. and Laurel C. Archey, by lands of David E. Bardo, and by lands of Jerry R. Sr. and Shirley M. Collins South 76 degrees 49 minutes 06 seconds East, 344.00 feet to an iron pin; thence by lands of said Collins North 9 degrees 26 minutes 05 seconds East, 178.18 feet to the place of BEGINNING. CONTAINING 23.641 acres of land.

Together with that certain access easement and right-of-way more specifically described as follows:

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33. Pinebrook Homes, Inc. to Carson D. Ryman and Betty J. Ryman by Deed dated December 12, 1996 and recorded December 13, 1996 in Record Book 643 at Page 1053, et seq.
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65. Pinebrook Homes, Inc. to Clifford J. Farides and Toni Farides by Deed dated June 21, 2000 and recorded June 23, 2000 at Instrument No. 200005991
66. Pinebrook Homes, Inc. to Mark T. Potora and Stacey L. Potora by Deed dated February 8, 2002 and recorded February 13, 2002 at Instrument No. 200201864

TOGETHER with that certain 50 foot right-of-way over above described lands leading from Township Route No. 346 to other lands of the Vietig Estate and described as follows: BEGINNING at a point on the northern edge of right-of-way of Township Route 346 North 4 degrees 58 minutes 50 seconds West, 25.31 feet; North 85 degrees 01 minutes 10 seconds East, 341.62 feet; thence by other lands of the Vietig Estate South 10 degrees 25 minutes 46 seconds East, 50.28 feet to an iron pin; thence by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 296.37 feet; thence by the northern edge of Township Route 346 North 65 degrees 34 minutes 58 seconds West, 45.55 feet; thence by the same North 82 degrees 16 minutes 02 seconds West, 10.57 feet.

The aforesaid access easement shall be appurtenant to the premises herein described, nonexclusive and perpetual.

BEING the remaining portion of the same premises which William R. Barstler, Executor of the Estate of Frederick B. Vietig, Jr., by his Deed dated July 22, 1993, and duly recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 541 at Page 0910, et. seq., granted and conveyed unto Pinebrook Homes, Inc. TAX PARCELS 18-02-004-07.000 and 18-06-022-00.000

#### **TERMS OF SALE**

**MINIMUM PAYMENT AT TIME OF SALE:** The greater of ten (10%) percent of the bid price or costs (opening bid at sale). Minimum payment is to be paid in cash, certified check or cashier's check at time of sale.

**REMAINING BALANCE OF BID PRICE:** Any remaining amount of the bid price is to be paid within (8) days after the sale is cash, certified check or cashier's check.

**IMPORTANT NOTICE FOR FAILURE TO PAY BID PRICE: FAILURE TO PAY THE BID PRICE IN ACCORDANCE WITH THESE TERMS MAY RESULT IN SERIOUS FINANCIAL CONSEQUENCES TO THE BIDDER. DO NOT BID UNLESS FUNDS ARE AVAILABLE FOR PAYMENT WITHIN THE PRESCRIBED TIME PERIOD.**

If the successful bidder fails to pay the bid price as per the above terms, the Sheriff may elect either to sue the bidder for the balance due without a resale of the property, or to resell the property at the bidder's risk and maintain an action against the bidder for breach of contract. In the case of a default all sums paid by bidder will be considered forfeited, but will be applied against any damages recoverable. The defaulting bidder will be responsible for any attorney fees incurred by the Sheriff in connection with any action against the bidder in which the bidder is found liable for damages.

Plaintiff's Attorney  
Marc Hess  
PO Box 1140  
Lebanon, PA 17042

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

# SHERIFF'S SALE

WEDNESDAY MARCH 25, 2009 AT 9:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 220 OF 2008 ED AND CIVIL WRIT NO. 1888 OF 2008 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 THOSE TWO (2) CERTAIN pieces, parcels and tracts of land situate in the Township of Hemlock, County of Columbia and Commonwealth of Pennsylvania, more specifically described as follows:

**Parcel #1**

BEGINNING at an existing iron pin on the edge of right-of-way of State Route No. 4010; said iron pin also being the northwest corner of lands of Jerry R. Sr. and Shirley M. Collins; thence by the edge of State Route No. 4010 South 62 degrees 38 minutes 49 seconds East, 18.82 feet to a point; thence by lands of Dorothy J. Harvey and crossing a tributary of Hemlock Creek South 9 degrees 26 minutes 05 seconds West, 190.82 feet to an existing oak tree; thence by the same South 56 degrees 36 minutes 39 seconds East, 318.29 feet to a triple oak tree; thence by lands of Dennis P. Harvey South 15 degrees 50 minutes 56 seconds East, 187.72 feet to an oak tree; thence by lands of Kenneth L. and Linda M. Wenner and Dale W. and Margaret A. Payne South 26 degrees 43 minutes 52 seconds East, 186.67 feet to an iron pin; thence by lands of Ronald D. Payne South 33 degrees 50 minutes 17 seconds East, 93.00 feet to an iron pin; thence by lands of Dale W. and Margaret A. Payne South 59 degrees 35 minutes 17 seconds East, 57.00 feet to an iron pin; thence by the same North 39 degrees 54 minutes 43 seconds East, 100.00 feet to an iron pin; thence by the same North 52 degrees 54 minutes 43 seconds East, 100.00 feet to an iron pin; thence by the same North 83 degrees 39 minutes 43 seconds East, 16.47 feet to a point in Hemlock Creek; thence by the center of Hemlock Creek to the following courses and distances; South 38 degrees 59 minutes 21 seconds West, 76.71 feet; South 53 degrees 36 minutes 48 seconds West, 96.39 feet; South 23 degrees 13 minutes 01 seconds West, 37.53 feet; South 21 degrees 34 minutes 19 seconds East, 39.93 feet; South 39 degrees 36 minutes 17 seconds East, 149.41 feet; South 17 degrees 19 minutes 53 seconds East, 32.44 feet; South 21 degrees 50 minutes 16 seconds West, 26.21 feet; South 10 degrees 00 minutes 45 seconds West, 168.26 feet; South 21 degrees 57 minutes 19 seconds West, 109.09 feet; South 42 degrees 19 minutes 30 seconds West, 108.42 feet; South 75 degrees 38 minutes 00 seconds West, 143.90 feet; South 30 degrees 50 minutes 24 seconds West, 54.44 feet; South 6 degrees 14 minutes 20 seconds West, 102.02 feet; South 13 degrees 01 minutes 57 seconds West, 155.52 feet; South 16 degrees 50 minutes 38 seconds East, 171.33 feet; South 38 degrees 11 minutes 25 seconds East, 74.86 feet; North 83 degrees 13 minutes 54 seconds East, 9.47 feet; thence by lands of Robert P. and Mary Mac Mausteller South 2 degrees 48 minutes 24 seconds East, 30.68 feet to a point on the northern edge of right-of-way of Township Route No. 346; thence by the said edge of Township Route No. 346 the following courses and distance: North 80 degrees 09 minutes 16 seconds West, 87.62 feet; North 86 degrees 53 minutes 29 seconds West, 194.11 feet; South 86 degrees 29 minutes 57 seconds West, 37.71 feet; South 83 degrees 20 minutes 39 seconds West, 76.07 feet to a point having an existing iron pin 5.69 feet North from corner; thence by lands of Stanley T. and Elva D. Fruit, by other lands of Frederick B. Vicking Estate North 10 degrees 25 minutes 46 seconds West, 1,449.31 feet to an existing stone corner; thence by lands of Robert E. and Patricia A. Conlon North 9 degrees 41 minutes 27 seconds West, 449.74 feet to a point having an existing

iron pipe 8.40 feet East from corner; thence by lands of Jeffrey L. and Laurel C. Archey, by lands of David E. Bardo, and by lands of Jerry R. Sr. and Shirley M. Collins South 76 degrees 49 minutes 06 seconds East, 344.00 feet to an iron pin; thence by lands of said Collins North 9 degrees 26 minutes 05 seconds East, 178.18 feet to the place of BEGINNING. CONTAINING 23.641 acres of land.

Together with that certain access easement and right-of-way more specifically described as follows:

BEGINNING at a point on the northern edge of right-of-way of Township Route No. 346 North 4 degrees 58 minutes 50 seconds West, 25.31 feet; North 85 degrees 01 minutes 10 seconds West, 341.62 feet; thence by other lands of the Vieting Estate South 10 degrees 25 minutes 46 seconds East 50.28 feet to an iron pin; thence by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 296.37 feet; thence by the northern edge of Township Route No. 346 North 65 degrees 34 minutes 58 seconds West, 45.55 feet; thence by the same North 82 degrees 16 minutes 02 seconds West, 10.57 feet.

The aforesaid access easement shall be appurtenant to the premises herein described, nonexclusive and perpetual.

BEING the remaining portion of the same premises which William R. Barstler, Executor of the Estate of Frederick B. Vietig, Jr., by his Deed dated May 26, 1993, and duly recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 535 at Page 0802, et. seq., granted and conveyed unto Pinebrook Homes, Inc.

**Parcel #2**

BEGINNING at a point in the center of Township Route No. 346; said point also having an iron pin on line South 17.27 feet from corner; thence by lands of Thomas L. and Cecile A. Ohl South 10 degrees 25 minutes 46 seconds East, 612.87 feet to an iron pin; thence by other lands of the Vietig Estate North 81 degrees 28 minutes 56 seconds West, 1,489.53 feet to an existing iron pin; thence by the same North 81 degrees 43 minutes 14 seconds West, 727.23 feet to an existing iron pin; thence by lands of Forest M. Cooper North 8 degrees 36 minutes 28 seconds East, 1,762.20 feet to an existing iron pin; thence by lands of Matthew W. Laidacker North 83 degrees 53 minutes 10 seconds East, 619.98 feet to an existing iron pin in a pine stump; thence by lands of Robert E. and Patricia A. Conlon South 84 degrees 32 minutes 52 seconds East, 940.50 feet to an existing witnessed stone corner; thence by other lands of the Vietig Estate South 10 degrees 25 minutes 46 seconds East, 1,203.22 feet to an iron pin on the southern edge of a proposed 50 feet right-of-way; thence by the said edge of proposed right-of-way and by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 330.00 feet to a point in the center of Township Route No. 346; thence by the center line of Township Route No. 346 the following courses and distances: South 65 degrees 34 minutes 58 seconds East, 34.47 feet; South 53 degrees 22 minutes 23 seconds East, 58.56 feet; South 50 degrees 09 minutes 44 seconds East, 241.51 feet; South 55 degrees 11 minutes 01 seconds East, 32.88 feet; South 71 degrees 06 minutes 25 seconds East, 34.24 feet; North 86 degrees 48 minutes 16 seconds East, 33.89 feet; North 83 degrees 20 minutes 39 seconds East, 19.37 feet to the place of BEGINNING. FORMERLY CONTAINING 81.303 acres of land.

LESS AND EXCEPTING the following 66 parcels as more fully described in Instruments recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania and as described herein below:

1. Pinebrook Homes, Inc. to Hunters Chase South Homeowners Assoc., Inc. by Deed dated March 21, 1994 and recorded March 22, 1994 in Record Book 563 at Page 977, et seq.
2. Pinebrook Homes, Inc. to Robert W. Puterbaugh, Jr. and Charity A. Puterbaugh by Deed dated May 9, 1994 and recorded May 9, 1994 in Record Book 568 at Page 123, et seq.
3. Pinebrook Homes, Inc. to Maureen E. Wood by Deed dated July 28, 1994 and recorded July

29, 1994 in Record Book 575 at Page 369, et seq.

4. Pinebrook Homes, Inc. to Scott M. McDade and Nancy A. McDade by Deed dated August 23, 1994 and recorded August 25, 1994 in Record Book 577 at Page 744, et seq.
5. Pinebrook Homes, Inc. to Hemlock Township by Deed dated April 12, 1994 and recorded September 20, 1994 in Record Book 579 at Page 860, et seq.
6. Pinebrook Homes, Inc. to George E. Gallick, III and Christeen J. Gallick by Deed dated October 3, 1994 and recorded October 3, 1994 in Record Book 580 at Page 994, et seq.
7. Pinebrook Homes, Inc. to Donald W. Young by Deed dated December 16, 1994 and recorded December 16, 1994 in Record Book 586 at Page 582, et seq.
8. Pinebrook Homes, Inc. to Dennis R Thomas and Margaret A. Thomas by Deed dated December 19, 1994 and recorded December 21, 1994 in Record Book 586 at Page 971, et seq.
9. Pinebrook Homes, Inc. to Thomas M. Kresch, Jr. and Deborah S. Kresch by Deed dated December 29, 1994 and recorded December 30, 1994 in Record Book 587 at Page 607, et seq.
10. Pinebrook Homes, Inc. to Harry K. Snyder and Linda J. Snyder by Deed dated December 30, 1994 and recorded December 30, 1994 in Record Book 587 at Page 734, et seq.
11. Pinebrook Homes, Inc. to Wilbur L. Grozier and Jean E. Grozier by Deed dated February 16, 1995 and recorded February 16, 1995 in Record Book 590 at Page 532, et seq.
12. Pinebrook Homes, Inc. to Raymond O'Donnell and Roberta Lynn O'Donnell by Deed dated March 31, 1995 and recorded March 31, 1995 in Record Book 593 at Page 115, et seq.
13. Pinebrook Homes, Inc. to Travis E. Oberrender and Holly L. Oberrender by Deed dated April 4, 1995 and recorded April 11, 1995 in Record Book 593 at Page 827, et seq.
14. Pinebrook Homes, Inc. to Alan D. Plastow and Connie L. Plastow by Deed dated May 9, 1995 and recorded May 9, 1995 in Record Book 595 at Page 847, et seq.
15. Pinebrook Homes, Inc. to Allen V. Krum, Jr. and Cindy L. Krum by Deed dated June 2, 1995 and recorded June 8, 1995 in Record Book 597 at Page 1061, et seq.
16. Pinebrook Homes, Inc. to Robin D. Yordy and Julie M. Yordy by Deed dated July 6, 1995 and recorded July 7, 1995 in Record Book 600 at Page 352, et seq.
17. Pinebrook Homes, Inc. to Ruth K. Dickerson by Deed dated July 19, 1995 and recorded July 21, 1995 in Record Book 601 at Page 399, et seq.
18. Pinebrook Homes, Inc. to Ralph L. Woodruff, Jr. and Tracy A. Woodruff by Deed dated August 22, 1995 and recorded August 24, 1995 in Record Book 604 at Page 359, et seq.
19. Pinebrook Homes, Inc. to Christopher J. Keller and Paula M. Keller by Deed dated August 30, 1995 and recorded September 1, 1995 in Record Book 605 at Page 54, et seq.



20. Pinebrook Homes, Inc. to George M. Migias and Stephanie M. Migias by Deed dated September 29, 1995 and recorded October 10, 1995 in Record Book 608 at Page 252, et seq.
21. Pinebrook Homes, Inc. to Todd H. Kephart and Kelly L. Kephart by Deed dated October 12, 1995 and recorded October 13, 1995 in Record Book 608 at Page 668, et seq.
22. Pinebrook Homes, Inc. to Hemlock Township by Deed dated December 12, 1995 and recorded February 7, 1996 in Record Book 615 at Page 1049, et seq.
23. Pinebrook Homes, Inc. to Hemlock Township by Deed dated December 12, 1995 and recorded February 7, 1996 in Record Book 615 at Page 1055, et seq.
24. Pinebrook Homes, Inc. to Marion E. Thomas and Mildred E. Thomas by Deed dated March 25, 1996 and recorded April 1, 1996 in Record Book 620 at Page 186, et seq.
25. Pinebrook Homes, Inc. to Robert J. Weaver and Wendy S. Shipe by Deed dated April 1, 1996 and recorded April 8, 1996 in Record Book 620 at Page 918, et seq.
26. Pinebrook Homes, Inc. to Randall L. Presswood and Nancy A. Presswood by Deed dated April 25, 1996 and recorded April 26, 1996 in Record Book 622 at Page 619, et seq.
27. Pinebrook Homes, Inc. to John S. Laidacker and Joan R. Laidacker by Deed dated June 7, 1996 and recorded June 7, 1996 in Record Book 626 at Page 940, et seq.
28. Pinebrook Homes, Inc. to Carl W. Naessig, III and Fawzieh K. Naessig by Deed dated June 21, 1996 and recorded June 21, 1996 in Record Book 628 at Page 385, et seq.
29. Pinebrook Homes, Inc. to Lawrence Petruzzelli and Theresa E. Petruzzelli by Deed dated July 2, 1996 and recorded July 3, 1996 in Record Book 629 at Page 617, et seq.
30. Pinebrook Homes, Inc. to Vernon D. Ryman by Deed dated July 12, 1996 and recorded July 12, 1996 in Record Book 630 at Page 470, et seq.
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Lebanon, PA 17042-1140  
(717) 274-3644

MANUFACTURERS AND TRADERS  
TRUST COMPANY ("M&T BANK"),  
Plaintiff

vs.

PINEBROOK HOMES, INC.,  
Defendant

: IN THE COURT OF COMMON PLEAS  
: COLUMBIA COUNTY, PENNSYLVANIA  
: CIVIL ACTION - LAW

: No. 2008-CV-1888

: 2008-ED-220

### WRIT OF EXECUTION

### NOTICE

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of Three Hundred Dollars (\$300.00). There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

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 REASONABLE FEE OR NO FEE.

North Penn Legal Services  
168 East Fifth Street  
Bloomsburg, PA 17815  
(570) 784-8760

HENRY & BEAVER LLP

By: 

MARC A. HESS

I.D. #55774

937 Willow Street

P.O. Box 1140

Lebanon, PA 17042

(717) 274-3644

Attorney for Plaintiff

#### AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Columbia County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact the Court Administrator's Office at (570) 389-5667. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

HENRY & BEAVER LLP  
By: Marc A. Hess  
Identification No. 55774  
937 Willow Street  
P.O. Box 1140  
Lebanon, PA 17042-1140  
(717) 274-3644

MANUFACTURERS AND TRADERS  
TRUST COMPANY ("M&T BANK"),  
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: IN THE COURT OF COMMON PLEAS  
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:  
:  
:  
:

2008-ED-220

**WRIT OF EXECUTION**

COMMONWEALTH OF PENNSYLVANIA :

: ss.

COUNTY OF COLUMBIA :

TO THE SHERIFF OF COLUMBIA COUNTY:

To satisfy the judgment, interest and costs against Pinebrook Homes, Inc.,  
Defendant.

1. You are directed to levy upon the property of the Defendant **located at Pony Trail Drive, Bloomsburg, Hemlock Township, Columbia County, Pennsylvania, Tax Parcels 18-06-022-00.000 and 18-02-004-07.000, and as more fully described on Exhibit "A" attached hereto.**

2. You are directed to attach the property of the Defendant not levied upon in the possession of: n/a

3. If property of the Defendant not levied upon and subject to attachment is found in the possession of anyone other than a named Garnishee, you are directed to notify him/her that he/she has been added as a Garnishee and is enjoined as above stated.

4.	Principal Sum Due -	\$ 300,000.00
	Interest to 10/17/2008 -	195.84
	Attorney's Fees (5% of unpaid principal) -	15,000.00
	O.C.P.P. -	
	This Writ -	

**Plus** interest which continues to accrue after October 17, 2008 and after entry of judgment at the contract rate (\$45.62 per diem), together with contractual late fees as may accrue, additional reasonable attorney's fees and costs of suit.

Tami B Kline  
Prothonotary

Seal of the Court  
12-26-08

By: Kelly P Brewer  
Deputy



**MAJOR EXEMPTIONS UNDER PENNSYLVANIA  
AND FEDERAL LAW**

1. \$300.00 statutory exemption.
2. Bibles, school books, sewing machines, uniforms and equipment.
3. Most wages and unemployment compensation.
4. Social Security benefits.
5. Certain retirement funds and accounts.
6. Certain veteran and armed forces benefits.
7. Certain insurance proceeds.
8. Such other exemptions as may be provided by law.

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MANUFACTURERS AND TRADERS	:	IN THE COURT OF COMMON PLEAS
TRUST COMPANY ("M&T BANK"),	:	COLUMBIA COUNTY, PENNSYLVANIA
Plaintiff	:	CIVIL ACTION - LAW
	:	
vs.	:	No. 2008-CV-1888
	:	
PINEBROOK HOMES, INC.,	:	
Defendant	:	

**CLAIM FOR EXEMPTION**

TO THE SHERIFF:

I, the above-named Defendant, claim exemption of property from levy or attachment:

1. From my personal property in my possession which has been levied upon,
  - a. I desire that my \$300.00 statutory exemption be  
\_\_\_\_ (i) set aside in kind (specify property to be set aside in kind): \_\_\_\_\_  
\_\_\_\_\_;
  - \_\_\_\_ (ii) paid in cash following the sale of the property levied upon; or
  - b. I claim the following exemption (specify the property and basis of exemption): \_\_\_\_\_.

2. From my property which is in the possession of a third party, I claim the following exemptions:

a. My \$300.00 statutory exemption: \_\_\_\_\_ in cash; \_\_\_\_\_ in kind  
(specify property): \_\_\_\_\_.

b. Social Security benefits on deposit in the amount of \$ \_\_\_\_\_.

c. Other (specify amount and basis of exemption): \_\_\_\_\_  
\_\_\_\_\_.

I request a prompt court hearing to determine the exemption.

Notice of the hearing should be given to me at

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

I verify that the statements made in this Claim for Exemption are true and correct.  
I understand that false statements herein are made subject to the penalties of 18  
Pa.C.S. §4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Defendant

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE SHERIFF OF COLUMBIA  
COUNTY, Columbia County Courthouse, 35 West Main Street, Bloomsburg,  
Pennsylvania 17815. Telephone Number (570) 389-5622.

ALL THOSE TWO (2) CERTAIN pieces, parcels and tracts of land situate in the Township of Hemlock, County of Columbia and Commonwealth of Pennsylvania, more specifically described as follows:

**Parcel #1**

BEGINNING at an existing iron pin on the edge of right-of-way of State Route No. 4010; said iron pin also being the northwest corner of lands of Jerry R. Sr. and Shirley M. Collins; thence by the edge of State Route No. 4010 South 62 degrees 38 minutes 49 seconds East, 18.82 feet to a point; thence by lands of Dorothy J. Harvey and crossing a tributary of Hemlock Creek South 9 degrees 26 minutes 05 seconds West, 190.82 feet to an existing oak tree; thence by the same South 56 degrees 36 minutes 39 seconds East, 318.29 feet to a triple oak tree; thence by lands of Dennis P. Harvey South 15 degrees 50 minutes 56 seconds East, 187.72 feet to an oak tree; thence by lands of Kenneth L. and Linda M. Wenner and Dale W. and Margaret A. Payne South 26 degrees 43 minutes 52 seconds East, 186.67 feet to an iron pin; thence by lands of Ronald D. Payne South 33 degrees 50 minutes 17 seconds East, 93.00 feet to an iron pin; thence by lands of Dale W. and Margaret A. Payne South 59 degrees 35 minutes 17 seconds East, 57.00 feet to an iron pin; thence by the same North 39 degrees 54 minutes 43 seconds East, 100.00 feet to an iron pin; thence by the same North 52 degrees 54 minutes 43 seconds East, 100.00 feet to an iron pin; thence by the same North 83 degrees 39 minutes 43 seconds East, 16.47 feet to a point in Hemlock Creek; thence by the center of Hemlock Creek to the following courses and distances: South 38 degrees 59 minutes 21 seconds West, 76.71 feet; South 53 degrees 36 minutes 48 seconds West, 96.39 feet; South 23 degrees 13 minutes 01 seconds West, 37.53 feet; South 21 degrees 34 minutes 19 seconds East, 39.93 feet; South 39 degrees 36 minutes 17 seconds East, 149.41 feet; South 17 degrees 19 minutes 53 seconds East, 32.44 feet; South 21 degrees 50 minutes 16 seconds West, 26.21 feet; South 10 degrees 00 minutes 45 seconds West, 168.26 feet; South 21 degrees 57 minutes 19 seconds West, 109.09 feet; South 42 degrees 19 minutes 30 seconds West, 108.42 feet; South 75 degrees 38 minutes 00 seconds West, 143.90 feet; South 30 degrees 50 minutes 24 seconds West, 54.44 feet; South 6 degrees 14 minutes 20 seconds West, 102.02 feet; South 13 degrees 01 minutes 57 seconds West, 155.52 feet; South 16 degrees 50 minutes 38 seconds East, 171.33 feet; South 38 degrees 11 minutes 25 seconds East, 74.86 feet; North 83 degrees 13 minutes 54 seconds East, 9.47 feet; thence by lands of Robert P. and Mary Mae Mausteller South 2 degrees 48 minutes 24 seconds East, 30.68 feet to a point on the northern edge of right-of-way of Township Route No. 346; thence by the said edge of Township Route No. 346 the following courses and distance: North 80 degrees 09 minutes 16 seconds West, 87.62 feet; North 86 degrees 53 minutes 29 seconds West, 194.11 feet; South 86 degrees 29 minutes 57 seconds West, 37.71 feet; South 83 degrees 20 minutes 39 seconds West, 76.07 feet to a point having an existing iron pin 5.69 feet North from corner; thence by lands of Stanley T. and Elva D. Fruit, by other lands of Frederick B. Vieting Estate North 10 degrees 25 minutes 46 seconds West, 1,449.31 feet to an existing stone corner; thence by lands of Robert E. and Patricia A. Conlon North 9 degrees 41 minutes 27 seconds West, 449.74 feet to a point having an existing iron pipe 8.40 feet East from corner; thence by lands of Jeffrey L. and Laurel C. Archey, by lands of David E. Bardo, and by lands of Jerry R. Sr. and Shirley M. Collins South 76 degrees 49 minutes 06 seconds East, 344.00 feet to an iron pin; thence by lands of said Collins North 9 degrees 26 minutes 05 seconds East, 178.18 feet to the place of BEGINNING. CONTAINING 23.641 acres of land.



Together with that certain access easement and right-of-way more specifically described as follows:

**BEGINNING** at a point on the northern edge of right-of-way of Township Route No. 346 North 4 degrees 58 minutes 50 seconds West, 25.31 feet; North 85 degrees 01 minutes 10 seconds West, 341.62 feet; thence by other lands of the Vieting Estate South 10 degrees 25 minutes 46 seconds East 50.28 feet to an iron pin; thence by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 296.37 feet; thence by the northern edge of Township Route No. 346 North 65 degrees 34 minutes 58 seconds West, 45.55 feet; thence by the same North 82 degrees 16 minutes 02 seconds West, 10.57 feet.

The aforesaid access easement shall be appurtenant to the premises herein described, nonexclusive and perpetual.

**BEING** the remaining portion of the same premises which William R. Barstler, Executor of the Estate of Frederick B. Vietig, Jr., by his Deed dated May 26, 1993, and duly recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 535 at Page 0802, et. seq., granted and conveyed unto Pinebrook Homes, Inc.

#### **Parcel #2**

**BEGINNING** at a point in the center of Township Route No. 346; said point also having an iron pin on line South 17.27 feet from corner; thence by lands of Thomas L. and Cecile A. Ohl South 10 degrees 25 minutes 46 seconds East, 612.87 feet to an iron pin; thence by other lands of the Vietig Estate North 81 degrees 28 minutes 56 seconds West, 1,489.53 feet to an existing iron pin; thence by the same North 81 degrees 43 minutes 14 seconds West, 727.23 feet to an existing iron pin; thence by lands of Forest M. Cooper North 8 degrees 36 minutes 28 seconds East, 1,762.20 feet to an existing iron pin; thence by lands of Matthew W. Laidacker North 83 degrees 53 minutes 10 seconds East, 619.98 feet to an existing iron pin in a pine stump; thence by lands of Robert E. and Patricia A. Conlon South 84 degrees 32 minutes 52 seconds East, 940.50 feet to an existing witnessed stone corner; thence by other lands of the Vietig Estate South 10 degrees 25 minutes 46 seconds East, 1,203.22 feet to an iron pin on the southern edge of a proposed 50 feet right-of-way; thence by the said edge of proposed right-of-way and by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 330.00 feet to a point in the center of Township Route No. 346; thence by the center line of Township Route No. 346 the following courses and distances: South 65 degrees 34 minutes 58 seconds East, 34.47 feet; South 53 degrees 22 minutes 23 seconds East, 58.56 feet; South 50 degrees 09 minutes 44 seconds East, 241.51 feet; South 55 degrees 11 minutes 01 seconds East, 32.88 feet; South 71 degrees 06 minutes 25 seconds East, 34.24 feet; North 86 degrees 48 minutes 16 seconds East, 33.89 feet; North 83 degrees 20 minutes 39 seconds East, 19.37 feet to the place of **BEGINNING**. **FORMERLY CONTAINING** 81.303 acres of land.

**LESS AND EXCEPTING** the following 66 parcels as more fully described in Instruments recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania and as described herein below:

1. Pinebrook Homes, Inc. to Hunters Chase South Homeowners Assoc., Inc. by Deed dated March 21, 1994 and recorded March 22, 1994 in Record Book 563 at Page 977, et seq.
2. Pinebrook Homes, Inc. to Robert W. Puterbaugh, Jr. and Charily A. Puterbaugh by Deed dated May 9, 1994 and recorded May 9, 1994 in Record Book 568 at Page 123, et seq.
3. Pinebrook Homes, Inc. to Maureen E. Wood by Deed dated July 28, 1994 and recorded July 29, 1994 in Record Book 575 at Page 369, et seq.
4. Pinebrook Homes, Inc. to Scott M. McDade and Nancy A. McDade by Deed dated August 23, 1994 and recorded August 25, 1994 in Record Book 577 at Page 744, et seq.
5. Pinebrook Homes, Inc. to Hemlock Township by Deed dated April 12, 1994 and recorded September 20, 1994 in Record Book 579 at Page 860, et seq.
6. Pinebrook Homes, Inc. to George E. Gallick, III and Christeen J. Gallick by Deed dated October 3, 1994 and recorded October 3, 1994 in Record Book 580 at Page 994, et seq.
7. Pinebrook Homes, Inc. to Donald W. Young by Deed dated December 16, 1994 and recorded December 16, 1994 in Record Book 586 at Page 582, et seq.
8. Pinebrook Homes, Inc. to Dennis R Thomas and Margaret A. Thomas by Deed dated December 19, 1994 and recorded December 21, 1994 in Record Book 586 at Page 971, et seq.
9. Pinebrook Homes, Inc. to Thomas M. Kresch, Jr. and Deborah S. Kresch by Deed dated December 29, 1994 and recorded December 30, 1994 in Record Book 587 at Page 607, et seq.
10. Pinebrook Homes, Inc. to Harry K. Snyder and Linda J. Snyder by Deed dated December 30, 1994 and recorded December 30, 1994 in Record Book 587 at Page 734, et seq.
11. Pinebrook Homes, Inc. to Wilbur L. Grozier and Jean E. Grozier by Deed dated February 16, 1995 and recorded February 16, 1995 in Record Book 590 at Page 532, et seq.
12. Pinebrook Homes, Inc. to Raymond O'Donnell and Roberta Lynn O'Donnell by Deed dated March 31, 1995 and recorded March 31, 1995 in Record Book 593 at Page 115, et seq.
13. Pinebrook Homes, Inc. to Travis E. Oberrender and Holly L. Oberrender by Deed dated April 4, 1995 and recorded April 11, 1995 in Record Book 593 at Page 827, et seq.
14. Pinebrook Homes, Inc. to Alan D. Plastow and Connie L. Plastow by Deed dated May 9, 1995 and recorded May 9, 1995 in Record Book 595 at Page 847, et seq.

15. Pinebrook Homes, Inc. to Allen V. Krum, Jr. and Cindy L. Krum by Deed dated June 2, 1995 and recorded June 8, 1995 in Record Book 597 at Page 1061, et seq.
16. Pinebrook Homes, Inc. to Robin D. Yordy and Julie M. Yordy by Deed dated July 6, 1995 and recorded July 7, 1995 in Record Book 600 at Page 352, et seq.
17. Pinebrook Homes, Inc. to Ruth K. Dickerson by Deed dated July 19, 1995 and recorded July 21, 1995 in Record Book 601 at Page 399, et seq.
18. Pinebrook Homes, Inc. to Ralph L. Woodruff, Jr. and Tracy A. Woodruff by Deed dated August 22, 1995 and recorded August 24, 1995 in Record Book 604 at Page 359, et seq.
19. Pinebrook Homes, Inc. to Christopher J. Keller and Paula M. Keller by Deed dated August 30, 1995 and recorded September 1, 1995 in Record Book 605 at Page 54, et seq.
20. Pinebrook Homes, Inc. to George M. Migias and Stephanie M. Migias by Deed dated September 29, 1995 and recorded October 10, 1995 in Record Book 608 at Page 252, et seq.
21. Pinebrook Homes, Inc. to Todd H. Kephart and Kelly L. Kephart by Deed dated October 12, 1995 and recorded October 13, 1995 in Record Book 608 at Page 668, et seq.
22. Pinebrook Homes, Inc. to Hemlock Township by Deed dated December 12, 1995 and recorded February 7, 1996 in Record Book 615 at Page 1049, et seq.
23. Pinebrook Homes, Inc. to Hemlock Township by Deed dated December 12, 1995 and recorded February 7, 1996 in Record Book 615 at Page 1055, et seq.
24. Pinebrook Homes, Inc. to Marion E. Thomas and Mildred E. Thomas by Deed dated March 25, 1996 and recorded April 1, 1996 in Record Book 620 at Page 186, et seq.
25. Pinebrook Homes, Inc. to Robert J. Weaver and Wendy S. Shipe by Deed dated April 1, 1996 and recorded April 8, 1996 in Record Book 620 at Page 918, et seq.
26. Pinebrook Homes, Inc. to Randall L. Presswood and Nancy A. Presswood by Deed dated April 25, 1996 and recorded April 26, 1996 in Record Book 622 at Page 619, et seq.
27. Pinebrook Homes, Inc. to John S. Laidacker and Joan R. Laidacker by Deed dated June 7, 1996 and recorded June 7, 1996 in Record Book 626 at Page 940, et seq.
28. Pinebrook Homes, Inc. to Carl W. Naessig, III and Fawzieh K. Naessig by Deed dated June 21, 1996 and recorded June 21, 1996 in Record Book 628 at Page 385, et seq.
29. Pinebrook Homes, Inc. to Lawrence Petruzzelli and Theresa E. Petruzzelli by Deed dated July 2, 1996 and recorded July 3, 1996 in Record Book 629 at Page 617, et seq.

30. Pinebrook Homes, Inc. to Vernon D. Ryman by Deed dated July 12, 1996 and recorded July 12, 1996 in Record Book 630 at Page 470, et seq.
31. Pinebrook Homes, Inc. to Mary I. Simpson by Deed dated September 25, 1996 and recorded September 25, 1996 in Record Book 637 at Page 693, et seq.
32. Pinebrook Homes, Inc. to Robert M. Dirienzo and Karen Leigh Minner by Deed dated October 15, 1996 and recorded October 16, 1996 in Record Book 639 at Page 165, et seq.
33. Pinebrook Homes, Inc. to Carson D. Ryman and Betty J. Ryman by Deed dated December 12, 1996 and recorded December 13, 1996 in Record Book 643 at Page 1053, et seq.
34. Pinebrook Homes, Inc. to Lyle D. Johnson and Beverly E. Johnson by Deed dated June 6, 1997 and recorded July 6, 1997 in Record Book 657 at Page 207, et seq.
35. Pinebrook Homes, Inc. to Matthew A. Stone and Denise A. Stone by Deed dated June 11, 1997 and recorded June 11, 1997 in Record Book 657 at Page 572, et seq.
36. Pinebrook Homes, Inc. to F. Daniel Webber and Patricia A. Webber by Deed dated June 12, 1997 and recorded June 20, 1997 in Record Book 658 at Page 462, et seq.
37. Pinebrook Homes, Inc. to John A. Traupman and Lori M. Traupman by Deed dated June 19, 1997 and recorded June 25, 1997 in Record Book 658 at Page 994, et seq.
38. Pinebrook Homes, Inc. to Chao Huang Hu and Chi Wen Hu by Deed dated August 21, 1997 and recorded August 29, 1997 in Record Book 664 at Page 968, et seq.
39. Pinebrook Homes, Inc. to Henry M. Guzevich and Jodi L. Guzevich by Deed dated September 30, 1997 and recorded October 1, 1997 in Record Book 668 at Page 162, et seq.
40. Pinebrook Homes, Inc. to Richard Myron Linn by Deed dated October 17, 1997 and recorded October 20, 1997 in Record Book 669 at Page 570, et seq.
41. Pinebrook Homes, Inc. to Robert W. Puterbaugh and Charity A. Puterbaugh by Deed dated May 9, 1994 and recorded December 9, 1997 in Record Book 673 at Page 725, et seq.
42. Pinebrook Homes, Inc. to Salvatore J. Marrazzo and Ida Marrazzo by Deed dated April 30, 1998 and recorded April 30, 1998 in Record Book 686 at Page 538, et seq.
43. Pinebrook Homes, Inc. to Jack V. Sorber and Aileen K. Sorber by Deed dated June 1, 1998 and recorded June 1, 1998 in Record Book 689 at Page 832, et seq.
44. Pinebrook Homes, Inc. to Vivian R. Kitchen by Deed dated August 14, 1998 and recorded August 14, 1998 in Record Book 697 at Page 319, et seq.



45. Pinebrook Homes, Inc. to Margaret R. Loftus by Deed dated August 17, 1998 and recorded August 17, 1998 in Record Book 697 at Page 682, et seq.
46. Pinebrook Homes, Inc. to Edward R. Kramer and Evelyn M. Kramer by Deed dated October 23, 1998 and recorded October 23, 1998 in Record Book 703 at Page 918, et seq.
47. Pinebrook Homes, Inc. to Hemlock Township by Deed dated October 15, 1998 and recorded November 25, 1998 in Record Book 707 at Page 480, et seq.
48. Pinebrook Homes, Inc. to William J. McElroy and Gloria E. McElroy by Deed dated December 3, 1998 and recorded December 4, 1998 in Record Book 708 at Page 288, et seq.
49. Pinebrook Homes, Inc. to Janice D. Lanning by Deed dated December 4, 1998 and recorded December 9, 1998 in Record Book 708 at Page 783, et seq.
50. Pinebrook Homes, Inc. to Irmgard K. Devlin by Deed dated June 24, 1999 and recorded June 24, 1999 in Record Book 729 at Page 701, et seq.
51. Pinebrook Homes, Inc. to Vishakha W. Rawool by Deed dated June 25, 1999 and recorded June 30, 1999 in Record Book 730 at Page 176, et seq.
52. Pinebrook Homes, Inc. to Edith Marie Mergler by Deed dated July 1, 1999 and recorded July 1, 1999 in Record Book 730 at Page 586, et seq.
53. Pinebrook Homes, Inc. to Stephen D. Brewer and Kathy A. Brewer by Deed dated June 29, 1999 and recorded July 7, 1999 in Record Book 730 at Page 962, et seq.
54. Pinebrook Homes, Inc. to Walter J. Mergler and Janet I. Mergler by Deed dated July 23, 1999 and recorded July 26, 1999 in Record Book 732 at Page 820, et seq.
55. Pinebrook Homes, Inc. to Paul O. Bitler and Mary Jane Bitler by Deed dated August 17, 1999 and recorded August 18, 1999 in Record Book 735 at Page 401, et seq.
56. Pinebrook Homes, Inc. to Gary P. Sohosky and Elizabeth K. Sohosky by Deed dated August 27, 1999 and recorded August 31, 1999 in Record Book 736 at Page 758, et seq.
57. Pinebrook Homes, Inc. to George E. Gallagher and Diane J. Gallagher by Deed dated October 15, 1999 and recorded October 18, 1999 at Instrument No. 199909620
58. Pinebrook Homes, Inc. to Eugene K. Brown by Deed dated October 28, 1999 and recorded October 28, 1999 at Instrument No. 199909974
59. Pinebrook Homes, Inc. to Frank Baggetta and Shenna Baggetta by Deed dated December 3, 1999 and recorded December 3, 1999 at Instrument No. 199911283

60. Pinebrook Homes, Inc. to Keith D. Andreas and Dianne L. Andreas by Deed dated January 18, 2000 and recorded January 18, 2000 at Instrument No. 200000534
61. Pinebrook Homes, Inc. to Donald M. Wilt and Janice C. Wilt by Deed dated March 1, 2000 and recorded March 1, 2000 at Instrument No. 200001909
62. Pinebrook Homes, Inc. to Ricky J. Scandle and Lori J. Scandle by Deed dated April 19, 2000 and recorded April 20, 2000 at Instrument No. 200003527
63. Pinebrook Homes, Inc. to Donald G. Pellman and Violet A. Pellman by Deed dated May 1, 2000 and recorded May 1, 2000 at Instrument No. 200003874
64. Pinebrook Homes, Inc. to Nancy A. Johnson by Deed dated June 2, 2000 and recorded June 2, 2000 at Instrument No. 200005169
65. Pinebrook Homes, Inc. to Clifford J. Farides and Toni Farides by Deed dated June 21, 2000 and recorded June 23, 2000 at Instrument No. 200005991
66. Pinebrook Homes, Inc. to Mark T. Potora and Stacey L. Potora by Deed dated February 8, 2002 and recorded February 13, 2002 at Instrument No. 200201864

TOGETHER with that certain 50 foot right-of-way over above described lands leading from Township Route No. 346 to other lands of the Vietig Estate and described as follows:

BEGINNING at a point on the northern edge of right-of-way of Township Route 346 North 4 degrees 58 minutes 50 seconds West, 25.31 feet; North 85 degrees 01 minutes 10 seconds East, 341.62 feet; thence by other lands of the Vietig Estate South 10 degrees 25 minutes 46 seconds East, 50.28 feet to an iron pin; thence by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 296.37 feet; thence by the northern edge of Township Route 346 North 65 degrees 34 minutes 58 seconds West, 45.55 feet; thence by the same North 82 degrees 16 minutes 02 seconds West, 10.57 feet.

The aforesaid access easement shall be appurtenant to the premises herein described, nonexclusive and perpetual.

BEING the remaining portion of the same premises which William R. Barstler, Executor of the Estate of Frederick B. Vietig, Jr., by his Deed dated July 22, 1993, and duly recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 541 at Page 0910, et. seq., granted and conveyed unto Pinebrook Homes, Inc.

**TAX PARCELS 18-02-004-07.000 and 18-06-022-00.000**

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: FAX  
DATE RECEIVED 12/26/2008

SERVICE# 5 - OF - 20 SERVICES  
DOCKET # 220ED2008

PLAINTIFF MANUFACTURERS AND TRADERS TRUST COMPANY  
("M&T BANK")

DEFENDANT PINEBROOK HOMES, INC.  
ATTORNEY FIRM HENRY & BEAVER

<b>PERSON/CORP TO SERVED</b>
HEMLOCK SEWER-C/O GAREY BITTENBENDER
BLOOMSBURG

**PAPERS TO SERVED**  
MORTGAGE FORECLOSURE

SERVED UPON faxed 12-29 JC

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

DATE \_\_\_\_\_ TIME \_\_\_\_\_ MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

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

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

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

### ATTEMPTS

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

DEPUTY \_\_\_\_\_ DATE \_\_\_\_\_

*Faxed  
12-29-08*

PHONE  
(570) 389-5622

TIMOTHY T. CHAMBERLAIN



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

24 HOUR PHONE  
(570) 784-6300

Monday, December 29, 2008

**HEMLOCK SEWER-C/O GAREY BITTENBENDER  
BLOOMSBURG, PA 17815-**

**MANUFACTURERS AND TRADERS TRUST COMPANY ("M&T BANK")  
VS  
PINEBROOK HOMES, INC.**

**DOCKET # 220ED2008**

**JD # 1888JD2008**

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*

Timothy T. Chamberlain  
Sheriff of Columbia County

HENRY & BEAVER LLP  
By: Marc A. Hess  
Identification No. 55774  
937 Willow Street  
P.O. Box 1140  
Lebanon, PA 17042-1140  
(717) 274-3644

MANUFACTURERS AND TRADERS  
TRUST COMPANY ("M&T BANK"),  
Plaintiff

vs.

PINEBROOK HOMES, INC.,  
Defendant

: IN THE COURT OF COMMON PLEAS  
: COLUMBIA COUNTY, PENNSYLVANIA  
: CIVIL ACTION - LAW

: No. 2008-CV-1888

: 2008-ED-220

**NOTICE OF SHERIFF'S SALE PURSUANT TO**  
**PENNSYLVANIA RULE OF CIVIL PROCEDURE 3129.2**

TAKE NOTICE that a Sheriff's sale of valuable real estate will be held in the  
Office of the Sheriff, Columbia County Courthouse, 35 West Main Street, Bloomsburg,  
Pennsylvania, on

March 25, 2009  
9:00 (a.m./p.m.)  
PREVAILING LOCAL TIME

of all the estates, rights, titles, properties, claims and demands of the property of  
Pinebrook Homes, Inc. which are more fully described below:

OWNER OF PROPERTY: Pinebrook Homes, Inc.

LOCATION OF PROPERTY  
TO BE SOLD: Pony Trail Drive  
Bloomsburg, Hemlock Township  
Columbia County, Pennsylvania  
Tax Parcels 18-06-022-00.000  
and 18-02-004-07.000

DESCRIPTION OF PROPERTY  
TO BE SOLD: A legal description is attached hereto,  
incorporated herein and identified as Exhibit  
"A".

IMPROVEMENTS ON PROPERTY: together with all improvements  
and appurtenances.

This Sheriff's sale takes place pursuant to a Judgment against Pinebrook  
Homes, Inc. in favor of Manufacturers and Traders Trust Company which Judgment  
was entered at No. 2008-CV-1888 in the amount of:

Principal Sum Due -	\$ 300,000.00
Interest to 10/17/2008 -	195.84
Attorney's Fees (5% of unpaid principal) -	<u>15,000.00</u>
Total -	\$ 315,195.84

Plus interest which continues to accrue after October 17, 2008 and after entry of  
judgment at the contract rate (\$45.62 per diem), together with contractual late fees as  
may accrue, additional reasonable attorney's fees and costs of suit. If you have a  
question about the full amount due and owing through the date of Sheriff's Sale, you  
can get that information by contacting the attorney whose name, address and  
telephone number appears below.

TAKE NOTICE that a Schedule of Distribution will be filed by the Sheriff on a date not later than thirty (30) days after the Sheriff's sale and distribution will be made in accordance with that Schedule of Distribution unless exceptions are filed thereto within ten (10) days after the filing of the Schedule of Distribution. No further notice of the filing of Schedule of Distribution will be given.

YOU MAY HAVE A LIEN OR OTHER INTEREST IN THE ABOVE PROPERTY.

Any lien or interest you have in the above property may be forever lost or otherwise impaired if you do not properly take action to protect such lien or interest. You may have legal rights to prevent any lien or interest you have in the above property from being lost or otherwise impaired. For example, before the Sheriff's Sale, you may file a petition with the above Court of Common Pleas in order to open or strike the above judgment, or to stay or set aside the Sheriff's Sale, if you feel you have a defense or objection to the judgment or the execution procedures used, or for any other proper causes. After the Sheriff's Sale, but before delivery of the Sheriff's Deed to the real property, a petition to set aside the Sheriff's Sale for a grossly inadequate price or for any other proper causes also may be filed with said Court. You also may have the right to free legal help. A lawyer can advise you more specifically of these and other rights you may have regarding the above matters. If you wish to exercise your rights, however, you must act promptly or you may lose such rights.

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  
FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

North Penn Legal Services  
168 East Fifth Street  
Bloomsburg, PA 17815  
(570) 784-8760

Timothy Chamberlain  
Sheriff of Columbia County

Marc A. Hess  
I.D. #55774  
HENRY & BEAVER LLP  
Attorney for Plaintiff



HENRY & BEAVER LLP  
By: Marc A. Hess  
Identification No. 55774  
937 Willow Street  
P.O. Box 1140  
Lebanon, PA 17042-1140  
(717) 274-3644

MANUFACTURERS AND TRADERS  
TRUST COMPANY ("M&T BANK"),  
Plaintiff

vs.

PINEBROOK HOMES, INC.,  
Defendant

: IN THE COURT OF COMMON PLEAS  
: COLUMBIA COUNTY, PENNSYLVANIA  
: CIVIL ACTION - LAW

: No. 2008-CV-1888

: 2008-EP-220

**WRIT OF EXECUTION**

**NOTICE**

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of Three Hundred Dollars (\$300.00). There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

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 REASONABLE FEE OR NO FEE.

North Penn Legal Services  
168 East Fifth Street  
Bloomsburg, PA 17815  
(570) 784-8760

HENRY & BEAVER, LLP

By: 

MARC A. HESS  
I.D. #55774  
937 Willow Street  
P.O. Box 1140  
Lebanon, PA 17042  
(717) 274-3644  
Attorney for Plaintiff

#### AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Columbia County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact the Court Administrator's Office at (570) 389-5667. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

HENRY & BEAVER LLP  
By: Marc A. Hess  
Identification No. 55774  
937 Willow Street  
P.O. Box 1140  
Lebanon, PA 17042-1140  
(717) 274-3644

MANUFACTURERS AND TRADERS  
TRUST COMPANY ("M&T BANK"),  
Plaintiff

vs.

PINEBROOK HOMES, INC.,  
Defendant

: IN THE COURT OF COMMON PLEAS  
: COLUMBIA COUNTY, PENNSYLVANIA  
: CIVIL ACTION - LAW

: No. 2008-CV-1888

: 2008-ED-220

**WRIT OF EXECUTION**

COMMONWEALTH OF PENNSYLVANIA :

: ss.

COUNTY OF COLUMBIA :

TO THE SHERIFF OF COLUMBIA COUNTY:

To satisfy the judgment, interest and costs against Pinebrook Homes, Inc.,  
Defendant.

1. You are directed to levy upon the property of the Defendant **located at Pony Trail Drive, Bloomsburg, Hemlock Township, Columbia County, Pennsylvania, Tax Parcels 18-06-022-00.000 and 18-02-004-07.000, and as more fully described on Exhibit "A" attached hereto.**

2. You are directed to attach the property of the Defendant not levied upon in the possession of: n/a

3. If property of the Defendant not levied upon and subject to attachment is found in the possession of anyone other than a named Garnishee, you are directed to notify him/her that he/she has been added as a Garnishee and is enjoined as above stated.

4.	Principal Sum Due -	\$ 300,000.00
	Interest to 10/17/2008 -	195.84
	Attorney's Fees (5% of unpaid principal) -	15,000.00
	O.C.P.P. -	
	This Writ -	

**Plus** interest which continues to accrue after October 17, 2008 and after entry of judgment at the contract rate (\$45.62 per diem), together with contractual late fees as may accrue, additional reasonable attorney's fees and costs of suit.

Tami B Kline  
Prothonotary

Seal of the Court

12-26-08

By: Kelly P Brewer  
Deputy

**MAJOR EXEMPTIONS UNDER PENNSYLVANIA  
AND FEDERAL LAW**

1. \$300.00 statutory exemption.
2. Bibles, school books, sewing machines, uniforms and equipment.
3. Most wages and unemployment compensation.
4. Social Security benefits.
5. Certain retirement funds and accounts.
6. Certain veteran and armed forces benefits.
7. Certain insurance proceeds.
8. Such other exemptions as may be provided by law.

HENRY & BEAVER LLP  
By: Marc A. Hess  
Identification No. 55774  
937 Willow Street  
P.O. Box 1140  
Lebanon, PA 17042-1140  
(717) 274-3644

MANUFACTURERS AND TRADERS	:	IN THE COURT OF COMMON PLEAS
TRUST COMPANY ("M&T BANK"),	:	COLUMBIA COUNTY, PENNSYLVANIA
Plaintiff	:	CIVIL ACTION - LAW
	:	
vs.	:	No. 2008-CV-1888
	:	
PINEBROOK HOMES, INC.,	:	
Defendant	:	

**CLAIM FOR EXEMPTION**

TO THE SHERIFF:

I, the above-named Defendant, claim exemption of property from levy or attachment:

1. From my personal property in my possession which has been levied upon,

a. I desire that my \$300.00 statutory exemption be

\_\_\_\_\_ (i) set aside in kind (specify property to be set aside in kind): \_\_\_\_\_  
\_\_\_\_\_;

\_\_\_\_\_ (ii) paid in cash following the sale of the property levied upon; or

b. I claim the following exemption (specify the property and basis of exemption): \_\_\_\_\_.

2. From my property which is in the possession of a third party, I claim the following exemptions:

a. My \$300.00 statutory exemption: \_\_\_\_\_ in cash; \_\_\_\_\_ in kind  
(specify property): \_\_\_\_\_.

b. Social Security benefits on deposit in the amount of \$\_\_\_\_\_.

c. Other (specify amount and basis of exemption): \_\_\_\_\_  
\_\_\_\_\_.

I request a prompt court hearing to determine the exemption.

Notice of the hearing should be given to me at

\_\_\_\_\_  
Address Telephone Number

I verify that the statements made in this Claim for Exemption are true and correct.  
I understand that false statements herein are made subject to the penalties of 18  
Pa.C.S. §4904 relating to unsworn falsification to authorities.

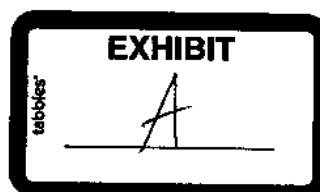
Date: \_\_\_\_\_  
Defendant

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE SHERIFF OF COLUMBIA  
COUNTY, Columbia County Courthouse, 35 West Main Street, Bloomsburg,  
Pennsylvania 17815. Telephone Number (570) 389-5622.

ALL THOSE TWO (2) CERTAIN pieces, parcels and tracts of land situate in the Township of Hemlock, County of Columbia and Commonwealth of Pennsylvania, more specifically described as follows:

**Parcel #1**

BEGINNING at an existing iron pin on the edge of right-of-way of State Route No. 4010: said iron pin also being the northwest corner of lands of Jerry R. Sr. and Shirley M. Collins; thence by the edge of State Route No. 4010 South 62 degrees 38 minutes 49 seconds East, 18.82 feet to a point; thence by lands of Dorothy J. Harvey and crossing a tributary of Hemlock Creek South 9 degrees 26 minutes 05 seconds West, 190.82 feet to an existing oak tree; thence by the same South 56 degrees 36 minutes 39 seconds East, 318.29 feet to a triple oak tree; thence by lands of Dennis P. Harvey South 15 degrees 50 minutes 56 seconds East, 187.72 feet to an oak tree; thence by lands of Kenneth L. and Linda M. Wenner and Dale W. and Margaret A. Payne South 26 degrees 43 minutes 52 seconds East, 186.67 feet to an iron pin; thence by lands of Ronald D. Payne South 33 degrees 50 minutes 17 seconds East, 93.00 feet to an iron pin; thence by lands of Dale W. and Margaret A. Payne South 59 degrees 35 minutes 17 seconds East, 57.00 feet to an iron pin; thence by the same North 39 degrees 54 minutes 43 seconds East, 100.00 feet to an iron pin; thence by the same North 52 degrees 54 minutes 43 seconds East, 100.00 feet to an iron pin; thence by the same North 83 degrees 39 minutes 43 seconds East, 16.47 feet to a point in Hemlock Creek; thence by the center of Hemlock Creek to the following courses and distances; South 38 degrees 59 minutes 21 seconds West, 76.71 feet; South 53 degrees 36 minutes 48 seconds West, 96.39 feet; South 23 degrees 13 minutes 01 seconds West, 37.53 feet; South 21 degrees 34 minutes 19 seconds East, 39.93 feet; South 39 degrees 36 minutes 17 seconds East, 149.41 feet; South 17 degrees 19 minutes 53 seconds East; 32.44 feet; South 21 degrees 50 minutes 16 seconds West, 26.21 feet; South 10 degrees 00 minutes 45 seconds West, 168.26 feet; South 21 degrees 57 minutes 19 seconds West, 109.09 feet; South 42 degrees 19 minutes 30 seconds West, 108.42 feet; South 75 degrees 38 minutes 00 seconds West, 143.90 feet; South 30 degrees 50 minutes 24 seconds West, 54.44 feet; South 6 degrees 14 minutes 20 seconds West, 102.02 feet; South 13 degrees 01 minutes 57 seconds West, 155.52 feet; South 16 degrees 50 minutes 38 seconds East, 171.33 feet; South 38 degrees 11 minutes 25 seconds East, 74.86 feet; North 83 degrees 13 minutes 54 seconds East, 9.47 feet; thence by lands of Robert P. and Mary Mae Mausteller South 2 degrees 48 minutes 24 seconds East, 30.68 feet to a point on the northern edge of right-of-way of Township Route No. 346; thence by the said edge of Township Route No. 346 the following courses and distance: North 80 degrees 09 minutes 16 seconds West, 87.62 feet; North 86 degrees 53 minutes 29 seconds West, 194.11 feet; South 86 degrees 29 minutes 57 seconds West, 37.71 feet; South 83 degrees 20 minutes 39 seconds West, 76.07 feet to a point having an existing iron pin 5.69 feet North from corner; thence by lands of Stanley T. and Elva D. Fruit, by other lands of Frederick B. Vieting Estate North 10 degrees 25 minutes 46 seconds West, 1,449.31 feet to an existing stone corner; thence by lands of Robert E. and Patricia A. Conlon North 9 degrees 41 minutes 27 seconds West, 449.74 feet to a point having an existing iron pipe 8.40 feet East from corner; thence by lands of Jeffrey L. and Laurel C. Archey, by lands of David E. Bardo, and by lands of Jerry R. Sr. and Shirley M. Collins South 76 degrees 49 minutes 06 seconds East, 344.00 feet to an iron pin; thence by lands of said Collins North 9 degrees 26 minutes 05 seconds East, 178.18 feet to the place of BEGINNING. CONTAINING 23.641 acres of land.





Together with that certain access easement and right-of-way more specifically described as follows:

BEGINNING at a point on the northern edge of right-of-way of Township Route No. 346 North 4 degrees 58 minutes 50 seconds West, 25.31 feet; North 85 degrees 01 minutes 10 seconds West, 341.62 feet; thence by other lands of the Vieting Estate South 10 degrees 25 minutes 46 seconds East 50.28 feet to an iron pin; thence by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 296.37 feet; thence by the northern edge of Township Route No. 346 North 65 degrees 34 minutes 58 seconds West, 45.55 feet; thence by the same North 82 degrees 16 minutes 02 seconds West, 10.57 feet.

The aforesaid access easement shall be appurtenant to the premises herein described, nonexclusive and perpetual.

BEING the remaining portion of the same premises which William R. Barstler, Executor of the Estate of Frederick B. Vietig, Jr., by his Deed dated May 26, 1993, and duly recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 535 at Page 0802, et. seq., granted and conveyed unto Pinebrook Homes, Inc.

## **Parcel #2**

BEGINNING at a point in the center of Township Route No. 346; said point also having an iron pin on line South 17.27 feet from corner; thence by lands of Thomas L. and Cecile A. Ohl South 10 degrees 25 minutes 46 seconds East, 612.87 feet to an iron pin; thence by other lands of the Vietig Estate North 81 degrees 28 minutes 56 seconds West, 1,489.53 feet to an existing iron pin; thence by the same North 81 degrees 43 minutes 14 seconds West, 727.23 feet to an existing iron pin; thence by lands of Forest M. Cooper North 8 degrees 36 minutes 28 seconds East, 1,762.20 feet to an existing iron pin; thence by lands of Matthew W. Laidacker North 83 degrees 53 minutes 10 seconds East, 619.98 feet to an existing iron pin in a pine stump; thence by lands of Robert E. and Patricia A. Conlon South 84 degrees 32 minutes 52 seconds East, 940.50 feet to an existing witnessed stone corner; thence by other lands of the Vietig Estate South 10 degrees 25 minutes 46 seconds East, 1,203.22 feet to an iron pin on the southern edge of a proposed 50 feet right-of-way; thence by the said edge of proposed right-of-way and by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 330.00 feet to a point in the center of Township Route No. 346; thence by the center line of Township Route No. 346 the following courses and distances: South 65 degrees 34 minutes 58 seconds East, 34.47 feet; South 53 degrees 22 minutes 23 seconds East, 58.56 feet; South 50 degrees 09 minutes 44 seconds East, 241.51 feet; South 55 degrees 11 minutes 01 seconds East, 32.88 feet; South 71 degrees 06 minutes 25 seconds East, 34.24 feet; North 86 degrees 48 minutes 16 seconds East, 33.89 feet; North 83 degrees 20 minutes 39 seconds East, 19.37 feet to the place of BEGINNING. FORMERLY CONTAINING 81.303 acres of land.

LESS AND EXCEPTING the following 66 parcels as more fully described in Instruments recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania and as described herein below:

1. Pinebrook Homes, Inc. to Hunters Chase South Homeowners Assoc., Inc. by Deed dated March 21, 1994 and recorded March 22, 1994 in Record Book 563 at Page 977, et seq.
2. Pinebrook Homes, Inc. to Robert W. Puterbaugh, Jr. and Charity A. Puterbaugh by Deed dated May 9, 1994 and recorded May 9, 1994 in Record Book 568 at Page 123, et seq.
3. Pinebrook Homes, Inc. to Maureen E. Wood by Deed dated July 28, 1994 and recorded July 29, 1994 in Record Book 575 at Page 369, et seq.
4. Pinebrook Homes, Inc. to Scott M. McDade and Nancy A. McDade by Deed dated August 23, 1994 and recorded August 25, 1994 in Record Book 577 at Page 744, et seq.
5. Pinebrook Homes, Inc. to Hemlock Township by Deed dated April 12, 1994 and recorded September 20, 1994 in Record Book 579 at Page 860, et seq.
6. Pinebrook Homes, Inc. to George E. Gallick, III and Christeen J. Gallick by Deed dated October 3, 1994 and recorded October 3, 1994 in Record Book 580 at Page 994, et seq.
7. Pinebrook Homes, Inc. to Donald W. Young by Deed dated December 16, 1994 and recorded December 16, 1994 in Record Book 586 at Page 582, et seq.
8. Pinebrook Homes, Inc. to Dennis R. Thomas and Margaret A. Thomas by Deed dated December 19, 1994 and recorded December 21, 1994 in Record Book 586 at Page 971, et seq.
9. Pinebrook Homes, Inc. to Thomas M. Kresch, Jr. and Deborah S. Kresch by Deed dated December 29, 1994 and recorded December 30, 1994 in Record Book 587 at Page 607, et seq.
10. Pinebrook Homes, Inc. to Harry K. Snyder and Linda J. Snyder by Deed dated December 30, 1994 and recorded December 30, 1994 in Record Book 587 at Page 734, et seq.
11. Pinebrook Homes, Inc. to Wilbur L. Grozier and Jean E. Grozier by Deed dated February 16, 1995 and recorded February 16, 1995 in Record Book 590 at Page 532, et seq.
12. Pinebrook Homes, Inc. to Raymond O'Donnell and Roberta Lynn O'Donnell by Deed dated March 31, 1995 and recorded March 31, 1995 in Record Book 593 at Page 115, et seq.
13. Pinebrook Homes, Inc. to Travis E. Oberrender and Holly L. Oberrender by Deed dated April 4, 1995 and recorded April 11, 1995 in Record Book 593 at Page 827, et seq.
14. Pinebrook Homes, Inc. to Alan D. Plastow and Connie L. Plastow by Deed dated May 9, 1995 and recorded May 9, 1995 in Record Book 595 at Page 847, et seq.

15. Pinebrook Homes, Inc. to Allen V. Krum, Jr. and Cindy L. Krum by Deed dated June 2, 1995 and recorded June 8, 1995 in Record Book 597 at Page 1061, et seq.
16. Pinebrook Homes, Inc. to Robin D. Yordy and Julie M. Yordy by Deed dated July 6, 1995 and recorded July 7, 1995 in Record Book 600 at Page 352, et seq.
17. Pinebrook Homes, Inc. to Ruth K. Dickerson by Deed dated July 19, 1995 and recorded July 21, 1995 in Record Book 601 at Page 399, et seq.
18. Pinebrook Homes, Inc. to Ralph L. Woodruff, Jr. and Tracy A. Woodruff by Deed dated August 22, 1995 and recorded August 24, 1995 in Record Book 604 at Page 359, et seq.
19. Pinebrook Homes, Inc. to Christopher J. Keller and Paula M. Keller by Deed dated August 30, 1995 and recorded September 1, 1995 in Record Book 605 at Page 54, et seq.
20. Pinebrook Homes, Inc. to George M. Migias and Stephanie M. Migias by Deed dated September 29, 1995 and recorded October 10, 1995 in Record Book 608 at Page 252, et seq.
21. Pinebrook Homes, Inc. to Todd H. Kephart and Kelly L. Kephart by Deed dated October 12, 1995 and recorded October 13, 1995 in Record Book 608 at Page 668, et seq.
22. Pinebrook Homes, Inc. to Hemlock Township by Deed dated December 12, 1995 and recorded February 7, 1996 in Record Book 615 at Page 1049, et seq.
23. Pinebrook Homes, Inc. to Hemlock Township by Deed dated December 12, 1995 and recorded February 7, 1996 in Record Book 615 at Page 1055, et seq.
24. Pinebrook Homes, Inc. to Marion E. Thomas and Mildred E. Thomas by Deed dated March 25, 1996 and recorded April 1, 1996 in Record Book 620 at Page 186, et seq.
25. Pinebrook Homes, Inc. to Robert J. Weaver and Wendy S. Shipc by Deed dated April 1, 1996 and recorded April 8, 1996 in Record Book 620 at Page 918, et seq.
26. Pinebrook Homes, Inc. to Randall L. Presswood and Nancy A. Presswood by Deed dated April 25, 1996 and recorded April 26, 1996 in Record Book 622 at Page 619, et seq.
27. Pinebrook Homes, Inc. to John S. Laidacker and Joan R. Laidacker by Deed dated June 7, 1996 and recorded June 7, 1996 in Record Book 626 at Page 940, et seq.
28. Pinebrook Homes, Inc. to Carl W. Naessig, III and Fawzieh K. Naessig by Deed dated June 21, 1996 and recorded June 21, 1996 in Record Book 628 at Page 385, et seq.
29. Pinebrook Homes, Inc. to Lawrence Petruzzelli and Theresa E. Petruzzelli by Deed dated July 2, 1996 and recorded July 3, 1996 in Record Book 629 at Page 617, et seq.

30. Pinebrook Homes, Inc. to Vernon D. Ryman by Deed dated July 12, 1996 and recorded July 12, 1996 in Record Book 630 at Page 470, et seq.
31. Pinebrook Homes, Inc. to Mary I. Simpson by Deed dated September 25, 1996 and recorded September 25, 1996 in Record Book 637 at Page 693, et seq.
32. Pinebrook Homes, Inc. to Robert M. Dirienzo and Karen Leigh Minner by Deed dated October 15, 1996 and recorded October 16, 1996 in Record Book 639 at Page 165, et seq.
33. Pinebrook Homes, Inc. to Carson D. Ryman and Betty J. Ryman by Deed dated December 12, 1996 and recorded December 13, 1996 in Record Book 643 at Page 1053, et seq.
34. Pinebrook Homes, Inc. to Lyle D. Johnson and Beverly E. Johnson by Deed dated June 6, 1997 and recorded July 6, 1997 in Record Book 657 at Page 207, et seq.
35. Pinebrook Homes, Inc. to Matthew A. Stone and Denise A. Stone by Deed dated June 11, 1997 and recorded June 11, 1997 in Record Book 657 at Page 572, et seq.
36. Pinebrook Homes, Inc. to F. Daniel Webber and Patricia A. Webber by Deed dated June 12, 1997 and recorded June 20, 1997 in Record Book 658 at Page 462, et seq.
37. Pinebrook Homes, Inc. to John A. Traupman and Lori M. Traupman by Deed dated June 19, 1997 and recorded June 25, 1997 in Record Book 658 at Page 994, et seq.
38. Pinebrook Homes, Inc. to Chao Huang Hu and Chi Wen Hu by Deed dated August 21, 1997 and recorded August 29, 1997 in Record Book 664 at Page 968, et seq.
39. Pinebrook Homes, Inc. to Henry M. Guzevich and Jodi L. Guzevich by Deed dated September 30, 1997 and recorded October 1, 1997 in Record Book 668 at Page 162, et seq.
40. Pinebrook Homes, Inc. to Richard Myron Linn by Deed dated October 17, 1997 and recorded October 20, 1997 in Record Book 669 at Page 570, et seq.
41. Pinebrook Homes, Inc. to Robert W. Puterbaugh and Charity A. Puterbaugh by Deed dated May 9, 1994 and recorded December 9, 1997 in Record Book 673 at Page 725, et seq.
42. Pinebrook Homes, Inc. to Salvatore J. Marrazzo and Ida Marrazzo by Deed dated April 30, 1998 and recorded April 30, 1998 in Record Book 686 at Page 538, et seq.
43. Pinebrook Homes, Inc. to Jack V. Sorber and Aileen K. Sorber by Deed dated June 1, 1998 and recorded June 1, 1998 in Record Book 689 at Page 832, et seq.
44. Pinebrook Homes, Inc. to Vivian R. Kitchen by Deed dated August 14, 1998 and recorded August 14, 1998 in Record Book 697 at Page 319, et seq.

45. Pinebrook Homes, Inc. to Margaret R. Loftus by Deed dated August 17, 1998 and recorded August 17, 1998 in Record Book 697 at Page 682, et seq.
46. Pinebrook Homes, Inc. to Edward R. Kramer and Evelyn M. Kramer by Deed dated October 23, 1998 and recorded October 23, 1998 in Record Book 703 at Page 918, et seq.
47. Pinebrook Homes, Inc. to Hemlock Township by Deed dated October 15, 1998 and recorded November 25, 1998 in Record Book 707 at Page 480, et seq.
48. Pinebrook Homes, Inc. to William J. McElroy and Gloria E. McElroy by Deed dated December 3, 1998 and recorded December 4, 1998 in Record Book 708 at Page 288, et seq.
49. Pinebrook Homes, Inc. to Janice D. Lanning by Deed dated December 4, 1998 and recorded December 9, 1998 in Record Book 708 at Page 783, et seq.
50. Pinebrook Homes, Inc. to Irmgard K. Devlin by Deed dated June 24, 1999 and recorded June 24, 1999 in Record Book 729 at Page 701, et seq.
51. Pinebrook Homes, Inc. to Vishakha W. Rawool by Deed dated June 25, 1999 and recorded June 30, 1999 in Record Book 730 at Page 176, et seq.
52. Pinebrook Homes, Inc. to Edith Marie Mergler by Deed dated July 1, 1999 and recorded July 1, 1999 in Record Book 730 at Page 586, et seq.
53. Pinebrook Homes, Inc. to Stephen D. Brewer and Kathy A. Brewer by Deed dated June 29, 1999 and recorded July 7, 1999 in Record Book 730 at Page 962, et seq.
54. Pinebrook Homes, Inc. to Walter J. Mergler and Janet I. Mergler by Deed dated July 23, 1999 and recorded July 26, 1999 in Record Book 732 at Page 820, et seq.
55. Pinebrook Homes, Inc. to Paul O. Bitler and Mary Jane Bitler by Deed dated August 17, 1999 and recorded August 18, 1999 in Record Book 735 at Page 401, et seq.
56. Pinebrook Homes, Inc. to Gary P. Sohosky and Elizabeth K. Sohosky by Deed dated August 27, 1999 and recorded August 31, 1999 in Record Book 736 at Page 758, et seq.
57. Pinebrook Homes, Inc. to George E. Gallagher and Diane J. Gallagher by Deed dated October 15, 1999 and recorded October 18, 1999 at Instrument No. 199909620
58. Pinebrook Homes, Inc. to Eugene K. Brown by Deed dated October 28, 1999 and recorded October 28, 1999 at Instrument No. 199909974
59. Pinebrook Homes, Inc. to Frank Baggetta and Shenna Baggetta by Deed dated December 3, 1999 and recorded December 3, 1999 at Instrument No. 199911283

60. Pinebrook Homes, Inc. to Keith D. Andreas and Dianne L. Andreas by Deed dated January 18, 2000 and recorded January 18, 2000 at Instrument No. 200000534
61. Pinebrook Homes, Inc. to Donald M. Wilt and Janice C. Wilt by Deed dated March 1, 2000 and recorded March 1, 2000 at Instrument No. 200001909
62. Pinebrook Homes, Inc. to Ricky J. Scandle and Lori J. Scandle by Deed dated April 19, 2000 and recorded April 20, 2000 at Instrument No. 200003527
63. Pinebrook Homes, Inc. to Donald G. Pellman and Violet A. Pellman by Deed dated May 1, 2000 and recorded May 1, 2000 at Instrument No. 200003874
64. Pinebrook Homes, Inc. to Nancy A. Johnson by Deed dated June 2, 2000 and recorded June 2, 2000 at Instrument No. 200005169
65. Pinebrook Homes, Inc. to Clifford J. Farides and Toni Farides by Deed dated June 21, 2000 and recorded June 23, 2000 at Instrument No. 200005991
66. Pinebrook Homes, Inc. to Mark T. Potora and Stacey L. Potora by Deed dated February 8, 2002 and recorded February 13, 2002 at Instrument No. 200201864

TOGETHER with that certain 50 foot right-of-way over above described lands leading from Township Route No. 346 to other lands of the Vietig Estate and described as follows:

BEGINNING at a point on the northern edge of right-of-way of Township Route 346 North 4 degrees 58 minutes 50 seconds West, 25.31 feet; North 85 degrees 01 minutes 10 seconds East, 341.62 feet; thence by other lands of the Vietig Estate South 10 degrees 25 minutes 46 seconds East, 50.28 feet to an iron pin; thence by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 296.37 feet; thence by the northern edge of Township Route 346 North 65 degrees 34 minutes 58 seconds West, 45.55 feet; thence by the same North 82 degrees 16 minutes 02 seconds West, 10.57 feet.

The aforesaid access easement shall be appurtenant to the premises herein described, nonexclusive and perpetual.

BEING the remaining portion of the same premises which William R. Barstler, Executor of the Estate of Frederick B. Vietig, Jr., by his Deed dated July 22, 1993, and duly recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 541 at Page 0910, et. seq., granted and conveyed unto Pinebrook Homes, Inc.

**TAX PARCELS 18-02-004-07.000 and 18-06-022-00.000**

HENRY & BEAVER LLP  
By: Marc A. Hess  
Identification No. 55774  
937 Willow Street  
P.O. Box 1140  
Lebanon, PA 17042-1140  
(717) 274-3644

MANUFACTURERS AND TRADERS  
TRUST COMPANY ("M&T BANK"),  
Plaintiff

vs.

PINEBROOK HOMES, INC.,  
Defendant

: IN THE COURT OF COMMON PLEAS  
: COLUMBIA COUNTY, PENNSYLVANIA  
: CIVIL ACTION - LAW

: No. 2008-CV-1888

: 2008-ED-220

**NOTICE OF SHERIFF'S SALE PURSUANT TO**  
**PENNSYLVANIA RULE OF CIVIL PROCEDURE 3129.2**

TAKE NOTICE that a Sheriff's sale of valuable real estate will be held in the  
Office of the Sheriff, Columbia County Courthouse, 35 West Main Street, Bloomsburg,  
Pennsylvania, on

\_\_\_\_\_, 2009  
\_\_\_\_\_ a.m./p.m.  
PREVAILING LOCAL TIME

of all the estates, rights, titles, properties, claims and demands of the property of  
Pinebrook Homes, Inc. which are more fully described below:

OWNER OF PROPERTY: Pinebrook Homes, Inc.

LOCATION OF PROPERTY  
TO BE SOLD: Pony Trail Drive  
Bloomsburg, Hemlock Township  
Columbia County, Pennsylvania  
Tax Parcels 18-06-022-00.000  
and 18-02-004-07.000

DESCRIPTION OF PROPERTY  
TO BE SOLD: A legal description is attached hereto,  
incorporated herein and identified as Exhibit  
"A".

IMPROVEMENTS ON PROPERTY: together with all improvements  
and appurtenances.

This Sheriff's sale takes place pursuant to a Judgment against Pinebrook  
Homes, Inc. in favor of Manufacturers and Traders Trust Company which Judgment  
was entered at No. 2008-CV-1888 in the amount of:

Principal Sum Due -	\$ 300,000.00
Interest to 10/17/2008 -	195.84
Attorney's Fees (5% of unpaid principal) -	<u>15,000.00</u>
Total -	\$ 315,195.84

Plus interest which continues to accrue after October 17, 2008 and after entry of  
judgment at the contract rate (\$45.62 per diem), together with contractual late fees as  
may accrue, additional reasonable attorney's fees and costs of suit. If you have a  
question about the full amount due and owing through the date of Sheriff's Sale, you  
can get that information by contacting the attorney whose name, address and  
telephone number appears below.



TAKE NOTICE that a Schedule of Distribution will be filed by the Sheriff on a date not later than thirty (30) days after the Sheriff's sale and distribution will be made in accordance with that Schedule of Distribution unless exceptions are filed thereto within ten (10) days after the filing of the Schedule of Distribution. No further notice of the filing of Schedule of Distribution will be given.

YOU MAY HAVE A LIEN OR OTHER INTEREST IN THE ABOVE PROPERTY.

Any lien or interest you have in the above property may be forever lost or otherwise impaired if you do not properly take action to protect such lien or interest. You may have legal rights to prevent any lien or interest you have in the above property from being lost or otherwise impaired. For example, before the Sheriff's Sale, you may file a petition with the above Court of Common Pleas in order to open or strike the above judgment, or to stay or set aside the Sheriff's Sale, if you feel you have a defense or objection to the judgment or the execution procedures used, or for any other proper causes. After the Sheriff's Sale, but before delivery of the Sheriff's Deed to the real property, a petition to set aside the Sheriff's Sale for a grossly inadequate price or for any other proper causes also may be filed with said Court. You also may have the right to free legal help. A lawyer can advise you more specifically of these and other rights you may have regarding the above matters. If you wish to exercise your rights, however, you must act promptly or you may lose such rights.

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  
FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

North Penn Legal Services  
168 East Fifth Street  
Bloomsburg, PA 17815  
(570) 784-8760

Timothy Chamberlain  
Sheriff of Columbia County

Marc A. Hess  
I.D. #55774  
HENRY & BEAVER LLP  
Attorney for Plaintiff

ALL THOSE TWO (2) CERTAIN pieces, parcels and tracts of land situate in the Township of Hemlock, County of Columbia and Commonwealth of Pennsylvania, more specifically described as follows:

**Parcel #1**

BEGINNING at an existing iron pin on the edge of right-of-way of State Route No. 4010; said iron pin also being the northwest corner of lands of Jerry R. Sr. and Shirley M. Collins; thence by the edge of State Route No. 4010 South 62 degrees 38 minutes 49 seconds East, 18.82 feet to a point; thence by lands of Dorothy J. Harvey and crossing a tributary of Hemlock Creek South 9 degrees 26 minutes 05 seconds West, 190.82 feet to an existing oak tree; thence by the same South 56 degrees 36 minutes 39 seconds East, 318.29 feet to a triple oak tree; thence by lands of Dennis P. Harvey South 15 degrees 50 minutes 56 seconds East, 187.72 feet to an oak tree; thence by lands of Kenneth L. and Linda M. Wenner and Dale W. and Margaret A. Payne South 26 degrees 43 minutes 52 seconds East, 186.67 feet to an iron pin; thence by lands of Ronald D. Payne South 33 degrees 50 minutes 17 seconds East, 93.00 feet to an iron pin; thence by lands of Dale W. and Margaret A. Payne South 59 degrees 35 minutes 17 seconds East, 57.00 feet to an iron pin; thence by the same North 39 degrees 54 minutes 43 seconds East, 100.00 feet to an iron pin; thence by the same North 52 degrees 54 minutes 43 seconds East, 100.00 feet to an iron pin; thence by the same North 83 degrees 39 minutes 43 seconds East, 16.47 feet to a point in Hemlock Creek; thence by the center of Hemlock Creek to the following courses and distances; South 38 degrees 59 minutes 21 seconds West, 76.71 feet; South 53 degrees 36 minutes 48 seconds West, 96.39 feet; South 23 degrees 13 minutes 01 seconds West, 37.53 feet; South 21 degrees 34 minutes 19 seconds East, 39.93 feet; South 39 degrees 36 minutes 17 seconds East, 149.41 feet; South 17 degrees 19 minutes 53 seconds East; 32.44 feet; South 21 degrees 50 minutes 16 seconds West, 26.21 feet; South 10 degrees 00 minutes 45 seconds West, 168.26 feet; South 21 degrees 57 minutes 19 seconds West, 109.09 feet; South 42 degrees 19 minutes 30 seconds West, 108.42 feet; South 75 degrees 38 minutes 00 seconds West, 143.90 feet; South 30 degrees 50 minutes 24 seconds West, 54.44 feet; South 6 degrees 14 minutes 20 seconds West, 102.02 feet; South 13 degrees 01 minutes 57 seconds West, 155.52 feet; South 16 degrees 50 minutes 38 seconds East, 171.33 feet; South 38 degrees 11 minutes 25 seconds East, 74.86 feet; North 83 degrees 13 minutes 54 seconds East, 9.47 feet; thence by lands of Robert P. and Mary Mae Mausteller South 2 degrees 48 minutes 24 seconds East, 30.68 feet to a point on the northern edge of right-of-way of Township Route No. 346; thence by the said edge of Township Route No. 346 the following courses and distance: North 80 degrees 09 minutes 16 seconds West, 87.62 feet; North 86 degrees 53 minutes 29 seconds West, 194.11 feet; South 86 degrees 29 minutes 57 seconds West, 37.71 feet; South 83 degrees 20 minutes 39 seconds West, 76.07 feet to a point having an existing iron pin 5.69 feet North from corner; thence by lands of Stanley T. and Elva D. Fruit, by other lands of Frederick B. Vieting Estate North 10 degrees 25 minutes 46 seconds West, 1,449.31 feet to an existing stone corner; thence by lands of Robert E. and Patricia A. Conlon North 9 degrees 41 minutes 27 seconds West, 449.74 feet to a point having an existing iron pipe 8.40 feet East from corner; thence by lands of Jeffrey L. and Laurel C. Archey, by lands of David E. Bardo, and by lands of Jerry R. Sr. and Shirley M. Collins South 76 degrees 49 minutes 06 seconds East, 344.00 feet to an iron pin; thence by lands of said Collins North 9 degrees 26 minutes 05 seconds East, 178.18 feet to the place of BEGINNING. CONTAINING 23.641 acres of land.



Together with that certain access easement and right-of-way more specifically described as follows:

BEGINNING at a point on the northern edge of right-of-way of Township Route No. 346 North 4 degrees 58 minutes 50 seconds West, 25.31 feet; North 85 degrees 01 minutes 10 seconds West, 341.62 feet; thence by other lands of the Vieting Estate South 10 degrees 25 minutes 46 seconds East 50.28 feet to an iron pin; thence by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 296.37 feet; thence by the northern edge of Township Route No. 346 North 65 degrees 34 minutes 58 seconds West, 45.55 feet; thence by the same North 82 degrees 16 minutes 02 seconds West, 10.57 feet.

The aforesaid access easement shall be appurtenant to the premises herein described, nonexclusive and perpetual.

BEING the remaining portion of the same premises which William R. Barstler, Executor of the Estate of Frederick B. Vietig, Jr., by his Deed dated May 26, 1993, and duly recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 535 at Page 0802, et. seq., granted and conveyed unto Pinebrook Homes, Inc.

#### **Parcel #2**

BEGINNING at a point in the center of Township Route No. 346; said point also having an iron pin on line South 17.27 feet from corner; thence by lands of Thomas L. and Cecile A. Ohl South 10 degrees 25 minutes 46 seconds East, 612.87 feet to an iron pin; thence by other lands of the Vietig Estate North 81 degrees 28 minutes 56 seconds West, 1,489.53 feet to an existing iron pin; thence by the same North 81 degrees 43 minutes 14 seconds West, 727.23 feet to an existing iron pin; thence by lands of Forest M. Cooper North 8 degrees 36 minutes 28 seconds East, 1,762.20 feet to an existing iron pin; thence by lands of Matthew W. Laidacker North 83 degrees 53 minutes 10 seconds East, 619.98 feet to an existing iron pin in a pine stump; thence by lands of Robert E. and Patricia A. Conlon South 84 degrees 32 minutes 52 seconds East, 940.50 feet to an existing witnessed stone corner; thence by other lands of the Vietig Estate South 10 degrees 25 minutes 46 seconds East, 1,203.22 feet to an iron pin on the southern edge of a proposed 50 feet right-of-way; thence by the said edge of proposed right-of-way and by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 330.00 feet to a point in the center of Township Route No. 346; thence by the center line of Township Route No. 346 the following courses and distances: South 65 degrees 34 minutes 58 seconds East, 34.47 feet; South 53 degrees 22 minutes 23 seconds East, 58.56 feet; South 50 degrees 09 minutes 44 seconds East, 241.51 feet; South 55 degrees 11 minutes 01 seconds East, 32.88 feet; South 71 degrees 06 minutes 25 seconds East, 34.24 feet; North 86 degrees 48 minutes 16 seconds East, 33.89 feet; North 83 degrees 20 minutes 39 seconds East, 19.37 feet to the place of BEGINNING. FORMERLY CONTAINING 81.303 acres of land.

LESS AND EXCEPTING the following 66 parcels as more fully described in Instruments recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania and as described herein below:

1. Pinebrook Homes, Inc. to Hunters Chase South Homeowners Assoc., Inc. by Deed dated March 21, 1994 and recorded March 22, 1994 in Record Book 563 at Page 977, et seq.
2. Pinebrook Homes, Inc. to Robert W. Puterbaugh, Jr. and Charity A. Puterbaugh by Deed dated May 9, 1994 and recorded May 9, 1994 in Record Book 568 at Page 123, et seq.
3. Pinebrook Homes, Inc. to Maureen E. Wood by Deed dated July 28, 1994 and recorded July 29, 1994 in Record Book 575 at Page 369, et seq.
4. Pinebrook Homes, Inc. to Scott M. McDade and Nancy A. McDade by Deed dated August 23, 1994 and recorded August 25, 1994 in Record Book 577 at Page 744, et seq.
5. Pinebrook Homes, Inc. to Hemlock Township by Deed dated April 12, 1994 and recorded September 20, 1994 in Record Book 579 at Page 860, et seq.
6. Pinebrook Homes, Inc. to George E. Gallick, III and Christeen J. Gallick by Deed dated October 3, 1994 and recorded October 3, 1994 in Record Book 580 at Page 994, et seq.
7. Pinebrook Homes, Inc. to Donald W. Young by Deed dated December 16, 1994 and recorded December 16, 1994 in Record Book 586 at Page 582, et seq.
8. Pinebrook Homes, Inc. to Dennis R Thomas and Margaret A. Thomas by Deed dated December 19, 1994 and recorded December 21, 1994 in Record Book 586 at Page 971, et seq.
9. Pinebrook Homes, Inc. to Thomas M. Kresch, Jr. and Deborah S. Kresch by Deed dated December 29, 1994 and recorded December 30, 1994 in Record Book 587 at Page 607, et seq.
10. Pinebrook Homes, Inc. to Harry K. Snyder and Linda J. Snyder by Deed dated December 30, 1994 and recorded December 30, 1994 in Record Book 587 at Page 734, et seq.
11. Pinebrook Homes, Inc. to Wilbur L. Grozier and Jean E. Grozier by Deed dated February 16, 1995 and recorded February 16, 1995 in Record Book 590 at Page 532, et seq.
12. Pinebrook Homes, Inc. to Raymond O'Donnell and Roberta Lynn O'Donnell by Deed dated March 31, 1995 and recorded March 31, 1995 in Record Book 593 at Page 115, et seq.
13. Pinebrook Homes, Inc. to Travis E. Oberrender and Holly L. Oberrender by Deed dated April 4, 1995 and recorded April 11, 1995 in Record Book 593 at Page 827, et seq.
14. Pinebrook Homes, Inc. to Alan D. Plastow and Connie L. Plastow by Deed dated May 9, 1995 and recorded May 9, 1995 in Record Book 595 at Page 847, et seq.

15. Pinebrook Homes, Inc. to Allen V. Krum, Jr. and Cindy L. Krum by Deed dated June 2, 1995 and recorded June 8, 1995 in Record Book 597 at Page 1061, et seq.
16. Pinebrook Homes, Inc. to Robin D. Yordy and Julie M. Yordy by Deed dated July 6, 1995 and recorded July 7, 1995 in Record Book 600 at Page 352, et seq.
17. Pinebrook Homes, Inc. to Ruth K. Dickerson by Deed dated July 19, 1995 and recorded July 21, 1995 in Record Book 601 at Page 399, et seq.
18. Pinebrook Homes, Inc. to Ralph L. Woodruff, Jr. and Tracy A. Woodruff by Deed dated August 22, 1995 and recorded August 24, 1995 in Record Book 604 at Page 359, et seq.
19. Pinebrook Homes, Inc. to Christopher J. Keller and Paula M. Keller by Deed dated August 30, 1995 and recorded September 1, 1995 in Record Book 605 at Page 54, et seq.
20. Pinebrook Homes, Inc. to George M. Migias and Stephanie M. Migias by Deed dated September 29, 1995 and recorded October 10, 1995 in Record Book 608 at Page 252, et seq.
21. Pinebrook Homes, Inc. to Todd H. Kephart and Kelly L. Kephart by Deed dated October 12, 1995 and recorded October 13, 1995 in Record Book 608 at Page 668, et seq.
22. Pinebrook Homes, Inc. to Hemlock Township by Deed dated December 12, 1995 and recorded February 7, 1996 in Record Book 615 at Page 1049, et seq.
23. Pinebrook Homes, Inc. to Hemlock Township by Deed dated December 12, 1995 and recorded February 7, 1996 in Record Book 615 at Page 1055, et seq.
24. Pinebrook Homes, Inc. to Marion E. Thomas and Mildred E. Thomas by Deed dated March 25, 1996 and recorded April 1, 1996 in Record Book 620 at Page 186, et seq.
25. Pinebrook Homes, Inc. to Robert J. Weaver and Wendy S. Shipc by Deed dated April 1, 1996 and recorded April 8, 1996 in Record Book 620 at Page 918, et seq.
26. Pinebrook Homes, Inc. to Randall L. Presswood and Nancy A. Presswood by Deed dated April 25, 1996 and recorded April 26, 1996 in Record Book 622 at Page 619, et seq.
27. Pinebrook Homes, Inc. to John S. Laidacker and Joan R. Laidacker by Deed dated June 7, 1996 and recorded June 7, 1996 in Record Book 626 at Page 940, et seq.
28. Pinebrook Homes, Inc. to Carl W. Naessig, III and Fawzieh K. Naessig by Deed dated June 21, 1996 and recorded June 21, 1996 in Record Book 628 at Page 385, et seq.
29. Pinebrook Homes, Inc. to Lawrence Petruzzelli and Theresa E. Petruzzelli by Deed dated July 2, 1996 and recorded July 3, 1996 in Record Book 629 at Page 617, et seq.

30. Pinebrook Homes, Inc. to Vernon D. Ryman by Deed dated July 12, 1996 and recorded July 12, 1996 in Record Book 630 at Page 470, et seq.
31. Pinebrook Homes, Inc. to Mary I. Simpson by Deed dated September 25, 1996 and recorded September 25, 1996 in Record Book 637 at Page 693, et seq.
32. Pinebrook Homes, Inc. to Robert M. Diricenzo and Karen Leigh Minner by Deed dated October 15, 1996 and recorded October 16, 1996 in Record Book 639 at Page 165, et seq.
33. Pinebrook Homes, Inc. to Carson D. Ryman and Betty J. Ryman by Deed dated December 12, 1996 and recorded December 13, 1996 in Record Book 643 at Page 1053, et seq.
34. Pinebrook Homes, Inc. to Lyle D. Johnson and Beverly E. Johnson by Deed dated June 6, 1997 and recorded July 6, 1997 in Record Book 657 at Page 207, et seq.
35. Pinebrook Homes, Inc. to Matthew A. Stone and Denise A. Stone by Deed dated June 11, 1997 and recorded June 11, 1997 in Record Book 657 at Page 572, et seq.
36. Pinebrook Homes, Inc. to F. Daniel Webber and Patricia A. Webber by Deed dated June 12, 1997 and recorded June 20, 1997 in Record Book 658 at Page 462, et seq.
37. Pinebrook Homes, Inc. to John A. Traupman and Lori M. Traupman by Deed dated June 19, 1997 and recorded June 25, 1997 in Record Book 658 at Page 994, et seq.
38. Pinebrook Homes, Inc. to Chao Huang Hu and Chi Wen Hu by Deed dated August 21, 1997 and recorded August 29, 1997 in Record Book 664 at Page 968, et seq.
39. Pinebrook Homes, Inc. to Henry M. Guzevich and Jodi L. Guzevich by Deed dated September 30, 1997 and recorded October 1, 1997 in Record Book 668 at Page 162, et seq.
40. Pinebrook Homes, Inc. to Richard Myron Linn by Deed dated October 17, 1997 and recorded October 20, 1997 in Record Book 669 at Page 570, et seq.
41. Pinebrook Homes, Inc. to Robert W. Puterbaugh and Charity A. Puterbaugh by Deed dated May 9, 1994 and recorded December 9, 1997 in Record Book 673 at Page 725, et seq.
42. Pinebrook Homes, Inc. to Salvatore J. Marrazzo and Ida Marrazzo by Deed dated April 30, 1998 and recorded April 30, 1998 in Record Book 686 at Page 538, et seq.
43. Pinebrook Homes, Inc. to Jack V. Sorber and Aileen K. Sorber by Deed dated June 1, 1998 and recorded June 1, 1998 in Record Book 689 at Page 832, et seq.
44. Pinebrook Homes, Inc. to Vivian R. Kitchen by Deed dated August 14, 1998 and recorded August 14, 1998 in Record Book 697 at Page 319, et seq.

45. Pinebrook Homes, Inc. to Margaret R. Loftus by Deed dated August 17, 1998 and recorded August 17, 1998 in Record Book 697 at Page 682, et seq.
46. Pinebrook Homes, Inc. to Edward R. Kramer and Evelyn M. Kramer by Deed dated October 23, 1998 and recorded October 23, 1998 in Record Book 703 at Page 918, et seq.
47. Pinebrook Homes, Inc. to Hemlock Township by Deed dated October 15, 1998 and recorded November 25, 1998 in Record Book 707 at Page 480, et seq.
48. Pinebrook Homes, Inc. to William J. McElroy and Gloria E. McElroy by Deed dated December 3, 1998 and recorded December 4, 1998 in Record Book 708 at Page 288, et seq.
49. Pinebrook Homes, Inc. to Janice D. Lanning by Deed dated December 4, 1998 and recorded December 9, 1998 in Record Book 708 at Page 783, et seq.
50. Pinebrook Homes, Inc. to Irmgard K. Devlin by Deed dated June 24, 1999 and recorded June 24, 1999 in Record Book 729 at Page 701, et seq.
51. Pinebrook Homes, Inc. to Vishakha W. Rawool by Deed dated June 25, 1999 and recorded June 30, 1999 in Record Book 730 at Page 176, et seq.
52. Pinebrook Homes, Inc. to Edith Marie Mergler by Deed dated July 1, 1999 and recorded July 1, 1999 in Record Book 730 at Page 586, et seq.
53. Pinebrook Homes, Inc. to Stephen D. Brewer and Kathy A. Brewer by Deed dated June 29, 1999 and recorded July 7, 1999 in Record Book 730 at Page 962, et seq.
54. Pinebrook Homes, Inc. to Walter J. Mergler and Janet I. Mergler by Deed dated July 23, 1999 and recorded July 26, 1999 in Record Book 732 at Page 820, et seq.
55. Pinebrook Homes, Inc. to Paul O. Bitler and Mary Jane Bitler by Deed dated August 17, 1999 and recorded August 18, 1999 in Record Book 735 at Page 401, et seq.
56. Pinebrook Homes, Inc. to Gary P. Sohosky and Elizabeth K. Sohosky by Deed dated August 27, 1999 and recorded August 31, 1999 in Record Book 736 at Page 758, et seq.
57. Pinebrook Homes, Inc. to George E. Gallagher and Diane J. Gallagher by Deed dated October 15, 1999 and recorded October 18, 1999 at Instrument No. 199909620
58. Pinebrook Homes, Inc. to Eugene K. Brown by Deed dated October 28, 1999 and recorded October 28, 1999 at Instrument No. 199909974
59. Pinebrook Homes, Inc. to Frank Baggetta and Shenna Baggetta by Deed dated December 3, 1999 and recorded December 3, 1999 at Instrument No. 199911283



60. Pinebrook Homes, Inc. to Keith D. Andreas and Dianne L. Andreas by Deed dated January 18, 2000 and recorded January 18, 2000 at Instrument No. 200000534
61. Pinebrook Homes, Inc. to Donald M. Wilt and Janice C. Wilt by Deed dated March 1, 2000 and recorded March 1, 2000 at Instrument No. 200001909
62. Pinebrook Homes, Inc. to Ricky J. Scandle and Lori J. Scandle by Deed dated April 19, 2000 and recorded April 20, 2000 at Instrument No. 200003527
63. Pinebrook Homes, Inc. to Donald G. Pellman and Violet A. Pellman by Deed dated May 1, 2000 and recorded May 1, 2000 at Instrument No. 200003874
64. Pinebrook Homes, Inc. to Nancy A. Johnson by Deed dated June 2, 2000 and recorded June 2, 2000 at Instrument No. 200005169
65. Pinebrook Homes, Inc. to Clifford J. Farides and Toni Farides by Deed dated June 21, 2000 and recorded June 23, 2000 at Instrument No. 200005991
66. Pinebrook Homes, Inc. to Mark T. Potora and Stacey L. Potora by Deed dated February 8, 2002 and recorded February 13, 2002 at Instrument No. 200201864

TOGETHER with that certain 50 foot right-of-way over above described lands leading from Township Route No. 346 to other lands of the Vietig Estate and described as follows:

BEGINNING at a point on the northern edge of right-of-way of Township Route 346 North 4 degrees 58 minutes 50 seconds West, 25.31 feet; North 85 degrees 01 minutes 10 seconds East, 341.62 feet; thence by other lands of the Vietig Estate South 10 degrees 25 minutes 46 seconds East, 50.28 feet to an iron pin; thence by lands of Stanley T. and Elva D. Fruit South 85 degrees 01 minutes 10 seconds West, 296.37 feet; thence by the northern edge of Township Route 346 North 65 degrees 34 minutes 58 seconds West, 45.55 feet; thence by the same North 82 degrees 16 minutes 02 seconds West, 10.57 feet.

The aforesaid access easement shall be appurtenant to the premises herein described, nonexclusive and perpetual.

BEING the remaining portion of the same premises which William R. Barstler, Executor of the Estate of Frederick B. Vietig, Jr., by his Deed dated July 22, 1993, and duly recorded in the Office of the Recorder of Deeds in and for Columbia County, Pennsylvania in Record Book 541 at Page 0910, et. seq., granted and conveyed unto Pinebrook Homes, Inc.

**TAX PARCELS 18-02-004-07.000 and 18-06-022-00.000**

HENRY & BEAVER LLP  
By: Marc A. Hess  
Identification No. 55774  
937 Willow Street  
P.O. Box 1140  
Lebanon, PA 17042-1140  
(717) 274-3644

MANUFACTURERS AND TRADERS  
TRUST COMPANY ("M&T BANK"),  
Plaintiff

vs.

PINEBROOK HOMES, INC.,  
Defendant

: IN THE COURT OF COMMON PLEAS  
: COLUMBIA COUNTY, PENNSYLVANIA  
: CIVIL ACTION - LAW

: No. 2008-CV-1888

: 2008-ED-220

**AFFIDAVIT PURSUANT TO RULE 3129.1**

Manufacturers and Traders Trust Company, Plaintiff in the above action, sets forth as of the date the Praecipe for the Writ of Execution was filed and as of the present time the following information concerning the real property located at Pony Trail Drive, Bloomsburg, Hemlock Township, Columbia County, Pennsylvania, Tax Parcels 18-06-022-00.000 and 18-02-004-07.000, and having a legal description as set forth on Exhibit "A" attached hereto and incorporated by reference:

1. Name and address of Owners or Reputed Owners:

Name

Address

Pinebrook Homes, Inc.

801 Montour Street  
Danville, PA 17821

2. Name and address of Defendants in the judgment.

<u>Name</u>	<u>Address</u>
Pinebrook Homes, Inc.	801 Montour Street Danville, PA 17821

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

<u>Name</u>	<u>Address</u>
Manufacturers and Traders Trust Company	213 Market Street Harrisburg, PA 17101-2141

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

<u>Name</u>	<u>Address</u>
Manufacturers and Traders Trust Company	213 Market Street Harrisburg, PA 17101-2141

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

<u>Name</u>	<u>Address</u>
n/a	

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:

<u>Name</u>	<u>Address</u>
n/a	