

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA

WRIT OF EXECUTION - (Mortgage Foreclosure)
(Pa.R.C.P. 3180 to 3183, and 3275)

WACHOVIA BANK, N.A.
Plaintiff

v.

LUCETTA K. EHMER
Defendant

Real Property: 2578 Old Berwick Road
Scott Township, PA

Judgment/Execution No. 2007-CV-729

2008-ED-45

COMMONWEALTH OF PENNSYLVANIA
COUNTY COLUMBIA

TO THE SHERIFF OF COLUMBIA COUNTY, PENNSYLVANIA:

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

2578 OLD BERWICK ROAD, SCOTT TOWNSHIP, COLUMBIA COUNTY, PA
PARCEL NUMBER 31-3C2-045
MORE FULLY DESCRIBED IN THE ATTACHED LEGAL DESCRIPTION

☒ Affidavit of Non-Military Service Filed.

Amount Due:

\$24,856.50

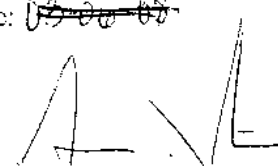
Interest:

*Continuing
from 04/16/07
at the per diem
of \$5.22 until
the date of sale


Prothonotary Judgment Costs:

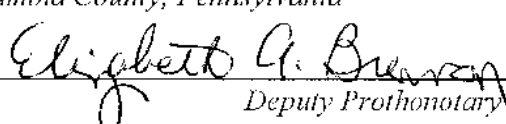
Sheriff's Costs:

03-14-08
Date: ~~03-20-08~~



Anthony R. Distasio, Esquire
Attorney For Plaintiff
Linton, Distasio & Edwards, P.C.
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
Phone: (610) 374-7320
Fax: (610) 374-2542



Prothonotary, Court of Common Pleas of
Columbia County, Pennsylvania
By: 

Deputy Prothonotary

(SEAL)

Anthony R. Distasio, Esquire
No. 2007-CV-729
Judgment: \$24,856.50

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PARCEL No. 31-3C2-045

BEING THE SAME PREMISES WHICH John D. Ehmer, Sr. and Lucetta K. Ehmer, Husband and Wife, by Indenture dated 02-03-95 and recorded 02-13-95 in the Office of the Recorder of Deeds in and for the County of Columbia in Deed Book 590 page 273, granted and conveyed unto Lucetta K. Ehmer.

NOTICE - THIS DOCUMENT DOES NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND IN THAT CONNECTION DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth in the manner provided in Section 1 of the Act of July 17, 1957, P.L., 984 as amended, and is not intended as notice of unrecorded instruments, if any.)

ORDER FOR SERVICE

Date:

Term No. **2007-CV-729**

To: Columbia County Sheriff's Office
Columbia County Courthouse
P.O. Box 380
Bloomsburg, PA 17815
(570) 389-5624

From: **Anthony R. Distasio, Esquire**
1720 Mineral Spring Road
P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

Case Caption:

Type of Paper:

WACHOVIA BANK, N.A.
Plaintiff

Writ of **EXECUTION**

v.

Complaint in

LUCETTA K. EHMER
Defendant

Summons in

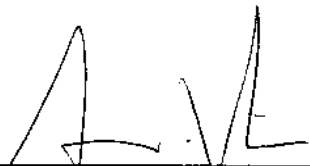
Other

Deposit

Service to be made on:
LUCETTA K. EHMER

Address where service can be made;
2578 OLD BERWICK ROAD
BLOOMSBURG, PA 17815

Special Instructions:
[i.e. deputized service (within PA only - specify county) certified mail, etc.]



Anthony R. Distasio, Esquire

A SELF-ADDRESSED STAMPED ENVELOPE IS ENCLOSED FOR MAILING OF RECEIPT AFTER SERVICE IS COMPLETED.

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Plaintiff

Writ of **EXECUTION**

v.

Complaint in

LUCETTA K. EHMER
Defendant

Summons in


Other

Deposit

Service to be made on:
POST PROPERTY

Address where service can be made;
2578 OLD BERWICK ROAD
BLOOMSBURG, PA 17815

Special Instructions:
[i.e. deputized service (within PA only - specify county) certified mail, etc.]



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By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
:
: *2008-ED-45*
: ACTION OF MORTGAGE FORECLOSURE

AFFIDAVIT PURSUANT TO RULE 3129

Wachovia Bank, N.A., Plaintiff in the above captioned action, sets forth as of the date of the Praecipe for the Writ of Execution was filed, the following information concerning real property located at 2578 Old Berwick Road, Scott Township, Columbia County, Pennsylvania:

1. Name and address of owner or reputed owner:

NAME:

Lucetta K. Ehmer

ADDRESS:

2578 Old Berwick Road
Bloomsburg, PA 17815

2. Name and Address of Defendants in the judgment:

NAME:

Lucetta K. Ehmer

ADDRESS:

2578 Old Berwick Road
Bloomsburg, PA 17815

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

NAME:

SEE EXHIBIT "A"

ADDRESS:

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

NAME:

SEE EXHIBIT "A"

ADDRESS:

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

NAME:

SEE EXHIBIT "A"

ADDRESS:

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

NAME:

ADDRESS:

SEE EXHIBIT "A"

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

NAME:

ADDRESS:

SEE EXHIBIT "A"

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge, information and belief. 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: 03-06-08



By: Anthony R. DiStasio, Esquire

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

Scott Township
Tax Administration
350 Tenny Street
Bloomsburg, PA 17815

Central Columbia Area School District
Tax Administration
4777 Old Berwick Road
Bloomsburg, PA 17815

Scott Township
Sewer Authority
350 Tenny Street
Bloomsburg, PA 17815

United Water of Pennsylvania
90 Irondale Road
Bloomsburg, PA 17815

Columbia County Domestic Relations
P.O. Box 380
Bloomsburg, PA 17815

Wachovia Bank, N.A./PA1331
c/o Diane Williams
123 South Broad Street, 7th Floor
Philadelphia, PA 19109
1st Mortgage

Wachovia Bank, N.A./PA1331
c/o Diane Williams
123 South Broad Street, 7th Floor
Philadelphia, PA 19109
2nd Mortgage

Tenant(s)
2578 Old Berwick Road
Bloomsburg, PA 17815

Estate Recovery Program
P.O. Box 8486
Willow Oaks Building
Harrisburg, PA 17105-8486

PA Department of Revenue
Bureau of Individual Taxes
Inheritance Tax Division
Department 280601
Harrisburg, PA 17128-0601

EX. "A"

Anthony R. Distasio, Esquire
No. 2007-CV-729
Judgment: \$24,856.50

ALL THAT CERTAIN piece, parcel or lot of land situate in Espy, Scott Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point on the sidewalk on the Southern side of Main Street in line of land of Luther Hess; thence along side sidewalk, North 71 degrees 30 minutes East, 79.5 feet to a mark on concrete in line of other lands of the Grantors; thence by the same, South 19 degrees 35 minutes East, 177 feet through the Eastern end of and old barn to a corner on the Northern side of an alley; thence by the same, South 71 degrees 30 minutes West, 79.5 feet to a spike corner in line of land of Luther Hess; thence by the same, North 19 degrees 35 minutes West, 177 feet to a corner at the point on the sidewalk on the Southern side of Main Street, the place of BEGINNING.

PARCEL No. 31-3C2-045

BEING THE SAME PREMISES WHICH John D. Ehmer, Sr. and Lucetta K. Ehmer, Husband and Wife, by Indenture dated 02-03-95 and recorded 02-13-95 in the Office of the Recorder of Deeds in and for the County of Columbia in Deed Book 590 page 273, granted and conveyed unto Lucetta K. Ehmer.

NOTICE - THIS DOCUMENT DOES NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND IN THAT CONNECTION DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth in the manner provided in Section 1 of the Act of July 17, 1957, P.L., 984 as amended, and is not intended as notice of unrecorded instruments, if any.)

LINTON, DISTASIO & EDWARDS, P.C.
By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

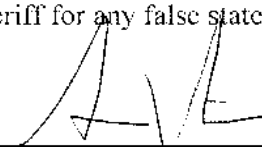
: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *2008-ED-45*
: ACTION OF MORTGAGE FORECLOSURE

CERTIFICATION

I hereby certify that I am the attorney of record for the Plaintiff in this action against the real property; and further certify that this property is:

- () Tenant Occupied or vacant, containing 2 or more rental units
- () Commercial
- () As a result of a Complaint in Assumpsit
- (X) That the Plaintiff has complied in all respects with Section 403 of the Mortgage Assistance Act, including but not limited to:
 - (a) service of notice on Defendant(s)
 - (b) expiration of 30 days since the service of the notice
 - (c) Defendant(s) failure to request or appear at meeting with mortgagee or Consumer Credit Counseling Agency
 - (d) Defendant(s) failure to file application with the Homeowners Emergency Assistance Program

I further agree to indemnify and hold harmless the Sheriff for any false statement given herein.



Anthony R. Distasio, Esquire
Counsel for Plaintiff

LINTON, DISTASIO & EDWARDS, P.C.
By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
:
: *2008-ED. 45*
:
: ACTION OF MORTGAGE FORECLOSURE
: AFFIDAVIT THAT THE DEFENDANT IS
: NOT IN THE MILITARY SERVICE
: PURSUANT TO "SOLDIERS AND
: SAILORS" CIVIL RELIEF ACT OF 1918,
: RE-ENACTED 1940

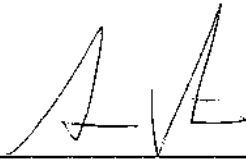
BERKS COUNTY, SS: Before me, the undersigned authority, personally appeared Anthony R. Distasio, Esquire, who being duly sworn according to law, doth depose and say that Lucetta K. Elmer, Defendant, is not in the Military or Naval Service, based on the following facts:

Age of Defendant;

Present place of employment;

Present place of residence; 2578 Old Berwick Road, Bloomsburg, PA 17815

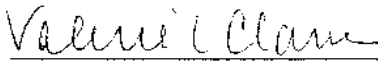
ADDITIONAL FACTS, if any:



Anthony R. Distasio, Esquire

Sworn to and subscribed before me this

16th day of March, 2008.



Notary Public

NOTARIAL SEAL
VALERIE L CLARK
Notary Public
TILDEN TWP, BERKS COUNTY
My Commission Expires Mar 28, 2009

LINTON, DISTASIO & EDWARDS, P.C.
By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *2008-ED-45*
: ACTION OF MORTGAGE FORECLOSURE

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 our property from being taken. A lawyer can advise you more specifically of these rights. Is 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. This a debtor's exemption of \$300. There are other exemptions which may be applicable to your. Attached is a summary of some of the major exemptions. You may have other 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 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

EXHIBIT "A"

NOTICE OF EXEMPTION RIGHT

In addition to your other rights, the law provides that you are entitled to a debtor's exemption of \$300.00 per owner which will be paid to you in cash if the Sheriff's Sale is completed.

If you believe that the value of your equity in the property is less than \$300.00 per owner, you may be able to prevent the sale if you 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 below.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, and the sale is not stopped for some other reason, the sale will be held.

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *REC-ED-45*
: ACTION OF MORTGAGE FORECLOSURE

CLAIM FOR EXEMPTION

TO THE SHERIFF:

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

From my real property in my possession which has been levied upon;

- (a) I desire that my \$300.00 statutory exemption be set aside in kind (specify real property to be set aside in kind):

- (b) I request a prompt 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, PA 17815
(570) 389-5622

Anthony R. Distasio, Esquire
No. 2007-CV-729
Judgment: \$24,856.50

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PARCEL No. 31-3C2-045

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LINTON, DISTASIO & EDWARDS, P.C.
By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *2008-ED-45*
: ACTION OF MORTGAGE FORECLOSURE

AFFIDAVIT PURSUANT TO RULE 3129

Wachovia Bank, N.A., Plaintiff in the above captioned action, sets forth as of the date of the Praecipe for the Writ of Execution was filed, the following information concerning real property located at 2578 Old Berwick Road, Scott Township, Columbia County, Pennsylvania:

1. Name and address of owner or reputed owner:

NAME:

Lucetta K. Ehmer

ADDRESS:

2578 Old Berwick Road
Bloomsburg, PA 17815

2. Name and Address of Defendants in the judgment:

NAME:

Lucetta K. Ehmer

ADDRESS:

2578 Old Berwick Road
Bloomsburg, PA 17815

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

NAME:

SEE EXHIBIT "A"

ADDRESS:

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

NAME:

SEE EXHIBIT "A"

ADDRESS:

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

NAME:

SEE EXHIBIT "A"

ADDRESS:

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

NAME:

ADDRESS:

SEE EXHIBIT "A"

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

NAME:

ADDRESS:

SEE EXHIBIT "A"

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge, information and belief. 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: 03-06-08



By: Anthony R. Distasio, Esquire

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

Scott Township
Sewer Authority
350 Tenny Street
Bloomsburg, PA 17815

Wachovia Bank, N.A./PA1331
c/o Diane Williams
123 South Broad Street, 7th Floor
Philadelphia, PA 19109
1st Mortgage

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

Scott Township
Tax Administration
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Bloomsburg, PA 17815

United Water of Pennsylvania
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Bloomsburg, PA 17815

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Philadelphia, PA 19109
2nd Mortgage

PA Department of Revenue
Bureau of Individual Taxes
Inheritance Tax Division
Department 280601
Harrisburg, PA 17128-0601

Central Columbia Area School District
Tax Administration
4777 Old Berwick Road
Bloomsburg, PA 17815

Columbia County Domestic Relations
P.O. Box 380
Bloomsburg, PA 17815

Tenant(s)
2578 Old Berwick Road
Bloomsburg, PA 17815

EX. "A"

Anthony R. Distasio, Esquire
No. 2007-CV-729
Judgment: \$24,856.50

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LINTON, DISTASIO & EDWARDS, P.C.
By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EIMER,
Mortgagor and Real Owner
Defendant

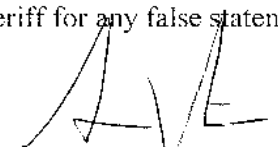
: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *2008-ED-45*
: ACTION OF MORTGAGE FORECLOSURE

CERTIFICATION

I hereby certify that I am the attorney of record for the Plaintiff in this action against the real property; and further certify that this property is:

- () Tenant Occupied or vacant, containing 2 or more rental units
- () Commercial
- () As a result of a Complaint in Assumpsit
- (X) That the Plaintiff has complied in all respects with Section 403 of the Mortgage Assistance Act, including but not limited to:
 - (a) service of notice on Defendant(s)
 - (b) expiration of 30 days since the service of the notice
 - (c) Defendant(s) failure to request or appear at meeting with mortgagee or Consumer Credit Counseling Agency
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I further agree to indemnify and hold harmless the Sheriff for any false statement given herein.



Anthony R. Distasio, Esquire
Counsel for Plaintiff

LINTON, DISTASIO & EDWARDS, P.C.
By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

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

: No. 2007-CV-729

: *2008-ED-45*

: ACTION OF MORTGAGE FORECLOSURE
: **AFFIDAVIT THAT THE DEFENDANT IS**
: **NOT IN THE MILITARY SERVICE**
: **PURSUANT TO "SOLDIERS AND**
: **SAILORS" CIVIL RELIEF ACT OF 1918,**
: **RE-ENACTED 1940**

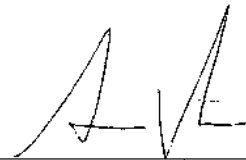
BERKS COUNTY, SS: Before me, the undersigned authority, personally appeared Anthony R. Distasio, Esquire, who being duly sworn according to law, doth depose and say that Lucetta K. Ehmer, Defendant, is not in the Military or Naval Service, based on the following facts:

Age of Defendant;

Present place of employment;

Present place of residence; 2578 Old Berwick Road, Bloomsburg, PA 17815

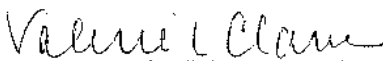
ADDITIONAL FACTS, if any:



Anthony R. Distasio, Esquire

Sworn to and subscribed before me this

6th day of March, 2008.



Notary Public

NOTARIAL SEAL
VALERIE L CLARK
Notary Public
TILDEN TWP BERKS COUNTY
My Commission Expires Mar 28, 2009

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA

WACHOVIA BANK, N.A.
Plaintiff

v.

LUCETTA K. EHMER
Defendant
Real Property: 2578 Old Berwick Road
Scott Township, PA

Judgment/Execution No. 2007-CV-729

2008-ED-45

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

TO THE PROTHONOTARY:

Issue a writ of execution in the above matter, directed to the Sheriff of Columbia County, against LUCETTA K. EHMER, Defendant.

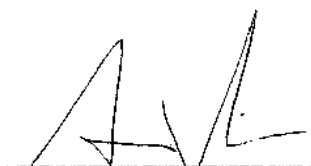
Amount Due: \$24,856.50

Interest: _____

*Continuing from 04/16/07 at
the per diem of \$5.22 until the
date of sale

Plus Costs _____

Date: *03-06-08*



Anthony R. Distasio, Esquire
Attorney For Plaintiff
Linton, Distasio & Edwards, P.C.
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
Phone: (610) 374-7320
Fax: (610) 374-2542

FILED
2008 MAR 13 AM 10:29
CLERK OF COURT

Anthony R. Distasio, Esquire
No. 2007-CV-729
Judgment: \$24,856.50

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IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA

WRIT OF EXECUTION - (Mortgage Foreclosure)
(Pa.R.C.P. 3180 to 3183, and 3275)

WACHOVIA BANK, N.A.
Plaintiff

v.

LUCETTA K. EHMER
Defendant

Real Property: 2578 Old Berwick Road
Scott Township, PA

Judgment/Execution No. 2007-CV-729

2008-ED-45

COMMONWEALTH OF PENNSYLVANIA
COUNTY COLUMBIA

TO THE SHERIFF OF COLUMBIA COUNTY, PENNSYLVANIA:

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

2578 OLD BERWICK ROAD, SCOTT TOWNSHIP, COLUMBIA COUNTY, PA
PARCEL NUMBER 31-3C2-045
MORE FULLY DESCRIBED IN THE ATTACHED LEGAL DESCRIPTION

☒ Affidavit of Non-Military Service Filed.

Amount Due:

\$24,856.50

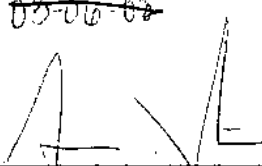
Interest:

*Continuing
from 04/16/07
at the per diem
of \$5.22 until
the date of sale


Prothonotary Judgment Costs:

Sheriff's Costs:

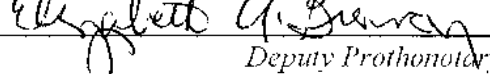
03-14-08
Date: ~~03-06-08~~



Anthony R. Distasio, Esquire
Attorney For Plaintiff
Linton, Distasio & Edwards, P.C.
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
Phone: (610) 374-7320
Fax: (610) 374-2542



Prothonotary, Court of Common Pleas of
Columbia County, Pennsylvania

By: 

Deputy Prothonotary

(SEAL)

Anthony R. Distasio, Esquire
No. 2007-CV-729
Judgment: \$24,856.50

ALL THAT CERTAIN piece, parcel or lot of land situate in Espy, Scott Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point on the sidewalk on the Southern side of Main Street in line of land of Luther Hess; thence along side sidewalk, North 71 degrees 30 minutes East, 79.5 feet to a mark on concrete in line of other lands of the Grantors; thence by the same, South 19 degrees 35 minutes East, 177 feet through the Eastern end of and old barn to a corner on the Northern side of an alley; thence by the same, South 71 degrees 30 minutes West, 79.5 feet to a spike corner in line of land of Luther Hess; thence by the same, North 19 degrees 35 minutes West, 177 feet to a corner at the point on the sidewalk on the Southern side of Main Street, the place of BEGINNING.

PARCEL No. 31-3C2-045

BEING THE SAME PREMISES WHICH John D. Ehmer, Sr. and Lucetta K. Ehmer, Husband and Wife, by Indenture dated 02-03-95 and recorded 02-13-95 in the Office of the Recorder of Deeds in and for the County of Columbia in Deed Book 590 page 273, granted and conveyed unto Lucetta K. Ehmer.

NOTICE - THIS DOCUMENT DOES NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND IN THAT CONNECTION DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth in the manner provided in Section 1 of the Act of July 17, 1957, P.L., 984 as amended, and is not intended as notice of unrecorded instruments, if any.)

LINTON, DISTASIO & EDWARDS, P.C.
By: Anthony R. Distasio, Esquire
Attorney LD. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *2008-ED-45*
: ACTION OF MORTGAGE FORECLOSURE

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 our property from being taken. A lawyer can advise you more specifically of these rights. Is 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. This a debtor's exemption of \$300. There are other exemptions which may be applicable to your. Attached is a summary of some of the major exemptions. You may have other 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 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

EXHIBIT "A"

NOTICE OF EXEMPTION RIGHT

In addition to your other rights, the law provides that you are entitled to a debtor's exemption of \$300.00 per owner which will be paid to you in cash if the Sheriff's Sale is completed.

If you believe that the value of your equity in the property is less than \$300.00 per owner, you may be able to prevent the sale if you 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 below.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, and the sale is not stopped for some other reason, the sale will be held.

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *NOTED 45*
: ACTION OF MORTGAGE FORECLOSURE

CLAIM FOR EXEMPTION

TO THE SHERIFF:

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

From my real property in my possession which has been levied upon;

- (a) I desire that my \$300.00 statutory exemption be set aside in kind (specify real property to be set aside in kind):

- (b) I request a prompt 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, PA 17815
(570) 389-5622

Anthony R. Distasio, Esquire
No. 2007-CV-729
Judgment: \$24,856.50

ALL THAT CERTAIN piece, parcel or lot of land situate in Espy, Scott Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point on the sidewalk on the Southern side of Main Street in line of land of Luther Hess; thence along side sidewalk, North 71 degrees 30 minutes East, 79.5 feet to a mark on concrete in line of other lands of the Grantors; thence by the same, South 19 degrees 35 minutes East, 177 feet through the Eastern end of and old barn to a corner on the Northern side of an alley; thence by the same, South 71 degrees 30 minutes West, 79.5 feet to a spike corner in line of land of Luther Hess; thence by the same, North 19 degrees 35 minutes West, 177 feet to a corner at the point on the sidewalk on the Southern side of Main Street, the place of BEGINNING.

PARCEL No. 31-3C2-045

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By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *ADD-ED-46*
: ACTION OF MORTGAGE FORECLOSURE

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: LUCETTA K. EHMER
2578 OLD BERWICK ROAD
BLOOMSBURG, PA 17815

Your real estate located at 2578 Old Berwick Road, Scott Township, Columbia County, Pennsylvania, is scheduled to be sold at Sheriff's Sale on _____, 2008 at _____m., in the Columbia County Courthouse, Bloomsburg, Pennsylvania, to enforce the court judgment of \$24,856.50 obtained by Wachovia Bank, N.A.

**NOTICE OF OWNER'S RIGHTS
YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE**

To prevent this Sheriff's Sale, you must take immediate action:

1. The sale will be canceled if you pay to Wachovia Bank, N.A. the total amount of principal, interest, late charges, attorneys' fees and costs owed on the loan. To find out how much you must pay, you may call: (610) 374-7320.
2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.
3. You may also be able to stop the sale through other legal proceedings.

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

**YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE
OTHER RIGHTS EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE**

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling the Sheriff of Columbia County at: (570) 389-5622.
2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.
3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened, you may call the Sheriff of Columbia County at: (570) 389-5622.

4. If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.
5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You may be entitled to a share of the money which was paid for your house. A schedule of distribution of the money bid for our house will be filed by the Sheriff on _____. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after _____.
7. You may also have other rights and defenses, or ways of getting your house back, if you act immediately after the sale.

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

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

Anthony R. Distasio, Esquire
No. 2007-CV-729
Judgment: \$24,856.50

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PARCEL No. 31-3C2-045

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LINTON, DISTASIO & EDWARDS, P.C.
By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *NOTE-ED-45*
: ACTION OF MORTGAGE FORECLOSURE

AFFIDAVIT PURSUANT TO RULE 3129

Wachovia Bank, N.A., Plaintiff in the above captioned action, sets forth as of the date of the
Pracipe for the Writ of Execution was filed, the following information concerning real property located
at 2578 Old Berwick Road, Scott Township, Columbia County, Pennsylvania:

1. Name and address of owner or reputed owner:

NAME:

Lucetta K. Ehmer

ADDRESS:

2578 Old Berwick Road
Bloomsburg, PA 17815

2. Name and Address of Defendants in the judgment:

NAME:

Lucetta K. Ehmer

ADDRESS:

2578 Old Berwick Road
Bloomsburg, PA 17815

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

NAME:

SEE EXHIBIT "A"

ADDRESS:

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

NAME:

SEE EXHIBIT "A"

ADDRESS:

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

NAME:

SEE EXHIBIT "A"

ADDRESS:

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

NAME:

ADDRESS:

SEE EXHIBIT "A"

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

NAME:

ADDRESS:

SEE EXHIBIT "A"

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge, information and belief. 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: 03-06-08


By: Anthony R. Distasio, Esquire

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

Scott Township
Tax Administration
350 Tenny Street
Bloomsburg, PA 17815

Central Columbia Area School District
Tax Administration
4777 Old Berwick Road
Bloomsburg, PA 17815

Scott Township
Sewer Authority
350 Tenny Street
Bloomsburg, PA 17815

United Water of Pennsylvania
90 Irondale Road
Bloomsburg, PA 17815

Columbia County Domestic Relations
P.O. Box 380
Bloomsburg, PA 17815

Wachovia Bank, N.A./PA1331
c/o Diane Williams
123 South Broad Street, 7th Floor
Philadelphia, PA 19109
1st Mortgage

Wachovia Bank, N.A./PA1331
c/o Diane Williams
123 South Broad Street, 7th Floor
Philadelphia, PA 19109
2nd Mortgage

Tenant(s)
2578 Old Berwick Road
Bloomsburg, PA 17815

Estate Recovery Program
P.O. Box 8486
Willow Oaks Building
Harrisburg, PA 17105-8486

PA Department of Revenue
Bureau of Individual Taxes
Inheritance Tax Division
Department 280601
Harrisburg, PA 17128-0601

Ex. "A"

Anthony R. Distasio, Esquire
No. 2007-CV-729
Judgment: \$24,856.50

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LINTON, DISTASIO & EDWARDS, P.C.
By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

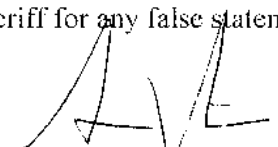
: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *2008-ED-45*
: ACTION OF MORTGAGE FORECLOSURE

CERTIFICATION

I hereby certify that I am the attorney of record for the Plaintiff in this action against the real property; and further certify that this property is:

- () Tenant Occupied or vacant, containing 2 or more rental units
- () Commercial
- () As a result of a Complaint in Assumpsit
- (X) That the Plaintiff has complied in all respects with Section 403 of the Mortgage Assistance Act, including but not limited to:
 - (a) service of notice on Defendant(s)
 - (b) expiration of 30 days since the service of the notice
 - (c) Defendant(s) failure to request or appear at meeting with mortgagee or Consumer Credit Counseling Agency
 - (d) Defendant(s) failure to file application with the Homeowners Emergency Assistance Program

I further agree to indemnify and hold harmless the Sheriff for any false statement given herein.



Anthony R. Distasio, Esquire
Counsel for Plaintiff

LINTON, DISTASIO & EDWARDS, P.C.
By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *NO 8-ED-45*
:
: ACTION OF MORTGAGE FORECLOSURE
: **AFFIDAVIT THAT THE DEFENDANT IS**
: **NOT IN THE MILITARY SERVICE**
: **PURSUANT TO "SOLDIERS AND**
: **SAILORS" CIVIL RELIEF ACT OF 1918,**
: **RE-ENACTED 1940**

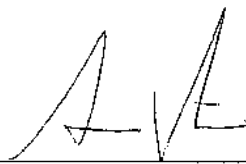
BERKS COUNTY, SS: Before me, the undersigned authority, personally appeared Anthony R. Distasio, Esquire, who being duly sworn according to law, doth depose and say that Lucetta K. Ehmer, Defendant, is not in the Military or Naval Service, based on the following facts:

Age of Defendant;

Present place of employment;

Present place of residence; 2578 Old Berwick Road, Bloomsburg, PA 17815

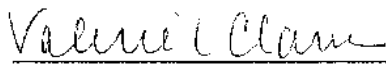
ADDITIONAL FACTS, if any:



Anthony R. Distasio, Esquire

Sworn to and subscribed before me this

6th day of March, 2008.



Notary Public

NOTARIAL SEAL
VALERIE L CLARK
Notary Public
TILDEN TWP, BERKS COUNTY
My Commission Expires Mar 28, 2009

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA

WACHOVIA BANK, N.A.
Plaintiff

v.

LUCETTA K. EHMER
Defendant
Real Property: 2578 Old Berwick Road
Scott Township, PA

Judgment/Execution No. 2007-CV-729

2008-ED-45

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

TO THE PROTHONOTARY:

Issue a writ of execution in the above matter, directed to the Sheriff of Columbia County, against LUCETTA K. EHMER, Defendant.

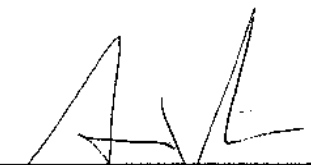
Amount Due: \$24,856.50

Interest: _____

*Continuing from 04/16/07 at
the per diem of \$5.22 until the
date of sale

Plus Costs _____

Date: *03-06-08*



Anthony R. Distasio, Esquire
Attorney For Plaintiff
Linton, Distasio & Edwards, P.C.
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
Phone: (610) 374-7320
Fax: (610) 374-2542

2008-03-06 PM 4:00
CLERK OF COURT

2008-03-06 PM 4:00
CLERK OF COURT

2008-03-06 PM 4:00
CLERK OF COURT

Anthony R. Distasio, Esquire
No. 2007-CV-729
Judgment: \$24,856.50

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IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA

WRIT OF EXECUTION - (Mortgage Foreclosure)
(Pa.R.C.P. 3180 to 3183, and 3275)

WACHIOVIA BANK, N.A.
Plaintiff

v.

LUCETTA K. EHMER
Defendant

Real Property: 2578 Old Berwick Road
Scott Township, PA

Judgment/Execution No. 2007-CV-729

2008-ED-45

COMMONWEALTH OF PENNSYLVANIA
COUNTY COLUMBIA

TO THE SHERIFF OF COLUMBIA COUNTY, PENNSYLVANIA:

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

2578 OLD BERWICK ROAD, SCOTT TOWNSHIP, COLUMBIA COUNTY, PA
PARCEL NUMBER 31-3C2-045
MORE FULLY DESCRIBED IN THE ATTACHED LEGAL DESCRIPTION

☒ Affidavit of Non-Military Service Filed.

Amount Due:

\$24,856.50

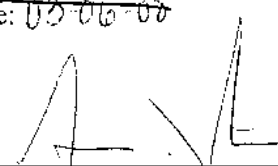
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*Continuing
from 04/16/07
at the per diem
of \$5.22 until
the date of sale


Prothonotary Judgment Costs:

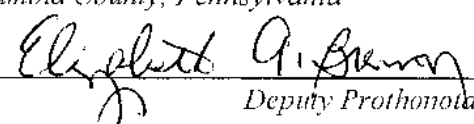
Sheriff's Costs:

03-14-08
Date: *03-06-08*



Anthony R. Distasio, Esquire
Attorney For Plaintiff
Linton, Distasio & Edwards, P.C.
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
Phone: (610) 374-7320
Fax: (610) 374-2542



Prothonotary, Court of Common Pleas of
Columbia County, Pennsylvania
By: 

Deputy Prothonotary

(SEAL)

Anthony R. Distasio, Esquire
No. 2007-CV-729
Judgment: \$24,856.50

ALL THAT CERTAIN piece, parcel or lot of land situate in Espy, Scott Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point on the sidewalk on the Southern side of Main Street in line of land of Luther Hess; thence along side sidewalk, North 71 degrees 30 minutes East, 79.5 feet to a mark on concrete in line of other lands of the Grantors; thence by the same, South 19 degrees 35 minutes East, 177 feet through the Eastern end of and old barn to a corner on the Northern side of an alley; thence by the same, South 71 degrees 30 minutes West, 79.5 feet to a spike corner in line of land of Luther Hess; thence by the same, North 19 degrees 35 minutes West, 177 feet to a corner at the point on the sidewalk on the Southern side of Main Street, the place of BEGINNING.

PARCEL No. 31-3C2-045

BEING THE SAME PREMISES WHICH John D. Ehmer, Sr. and Lucetta K. Ehmer, Husband and Wife, by Indenture dated 02-03-95 and recorded 02-13-95 in the Office of the Recorder of Deeds in and for the County of Columbia in Deed Book 590 page 273, granted and conveyed unto Lucetta K. Ehmer.

NOTICE - THIS DOCUMENT DOES NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND IN THAT CONNECTION DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth in the manner provided in Section 1 of the Act of July 17, 1957, P.L., 984 as amended, and is not intended as notice of unrecorded instruments, if any.)

LINTON, DISTASIO & EDWARDS, P.C.
By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *APPROVED - 45*
: ACTION OF MORTGAGE FORECLOSURE

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 our property from being taken. A lawyer can advise you more specifically of these rights. Is 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. This a debtor's exemption of \$300. There are other exemptions which may be applicable to your. Attached is a summary of some of the major exemptions. You may have other 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 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

EXHIBIT "A"

NOTICE OF EXEMPTION RIGHT

In addition to your other rights, the law provides that you are entitled to a debtor's exemption of \$300.00 per owner which will be paid to you in cash if the Sheriff's Sale is completed.

If you believe that the value of your equity in the property is less than \$300.00 per owner, you may be able to prevent the sale if you 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 below.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, and the sale is not stopped for some other reason, the sale will be held.

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EIMER,
Mortgagor and Real Owner
Defendant

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

: No. 2007-CV-729

: *2008-ED-45*
: ACTION OF MORTGAGE FORECLOSURE

CLAIM FOR EXEMPTION

TO THE SHERIFF:

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

From my real property in my possession which has been levied upon;

- (a) I desire that my \$300.00 statutory exemption be set aside in kind (specify real property to be set aside in kind):

- (b) I request a prompt 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, PA 17815
(570) 389-5622

Anthony R. Distasio, Esquire
No. 2007-CV-729
Judgment: \$24,856.50

ALL THAT CERTAIN piece, parcel or lot of land situate in Espy, Scott Township, Columbia County, Pennsylvania, bounded and described as follows, to-wit:

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PARCEL No. 31-3C2-045

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By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *ACC-ED-45*
: ACTION OF MORTGAGE FORECLOSURE

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: **LUCETTA K. EHMER**
2578 OLD BERWICK ROAD
BLOOMSBURG, PA 17815

Your real estate located at **2578 Old Berwick Road, Scott Township, Columbia County, Pennsylvania**, is scheduled to be sold at Sheriff's Sale on _____, 2008 at _____m., in the Columbia County Courthouse, Bloomsburg, Pennsylvania, to enforce the court judgment of \$24,856.50 obtained by Wachovia Bank, N.A.

NOTICE OF OWNER'S RIGHTS
YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE

To prevent this Sheriff's Sale, you must take immediate action:

1. The sale will be canceled if you pay to Wachovia Bank, N.A. the total amount of principal, interest, late charges, attorneys' fees and costs owed on the loan. To find out how much you must pay, you may call: (610) 374-7320.
2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.
3. You may also be able to stop the sale through other legal proceedings.

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

YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE
OTHER RIGHTS EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling the Sheriff of Columbia County at: (570) 389-5622.
2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.
3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened, you may call the Sheriff of Columbia County at: (570) 389-5622.

4. If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.
5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You may be entitled to a share of the money which was paid for your house. A schedule of distribution of the money bid for our house will be filed by the Sheriff on _____. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after _____.
7. You may also have other rights and defenses, or ways of getting your house back, if you act immediately after the sale.

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

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

Anthony R. Distasio, Esquire
No. 2007-CV-729
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PARCEL No. 31-3C2-045

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LINTON, DISTASIO & EDWARDS, P.C.
By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
Reading, PA 19603-0461
(610) 374-7320

WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
Mortgagor and Real Owner
Defendant

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *2008-ED-45*
: ACTION OF MORTGAGE FORECLOSURE

AFFIDAVIT PURSUANT TO RULE 3129

Wachovia Bank, N.A., Plaintiff in the above captioned action, sets forth as of the date of the
Pracipe for the Writ of Execution was filed, the following information concerning real property located
at 2578 Old Berwick Road, Scott Township, Columbia County, Pennsylvania:

1. Name and address of owner or reputed owner:

NAME:

Lucetta K. Ehmer

ADDRESS:

2578 Old Berwick Road
Bloomsburg, PA 17815

2. Name and Address of Defendants in the judgment:

NAME:

Lucetta K. Ehmer

ADDRESS:

2578 Old Berwick Road
Bloomsburg, PA 17815

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

NAME:

SEE EXHIBIT "A"

ADDRESS:

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

NAME:

SEE EXHIBIT "A"

ADDRESS:

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

NAME:

SEE EXHIBIT "A"

ADDRESS:

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

NAME:

ADDRESS:

SEE EXHIBIT "A"

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

NAME:

ADDRESS:

SEE EXHIBIT "A"

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge, information and belief. 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: 03-06-08



By: Anthony R. Distasio, Esquire

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

Scott Township
Tax Administration
350 Tenny Street
Bloomsburg, PA 17815

Central Columbia Area School District
Tax Administration
4777 Old Berwick Road
Bloomsburg, PA 17815

Scott Township
Sewer Authority
350 Tenny Street
Bloomsburg, PA 17815

United Water of Pennsylvania
90 Irondale Road
Bloomsburg, PA 17815

Columbia County Domestic Relations
P.O. Box 380
Bloomsburg, PA 17815

Wachovia Bank, N.A./PA1331
c/o Diane Williams
123 South Broad Street, 7th Floor
Philadelphia, PA 19109
1st Mortgage

Wachovia Bank, N.A./PA1331
c/o Diane Williams
123 South Broad Street, 7th Floor
Philadelphia, PA 19109
2nd Mortgage

Tenant(s)
2578 Old Berwick Road
Bloomsburg, PA 17815

Estate Recovery Program
P.O. Box 8486
Willow Oaks Building
Harrisburg, PA 17105-8486

PA Department of Revenue
Bureau of Individual Taxes
Inheritance Tax Division
Department 280601
Harrisburg, PA 17128-0601

EX. "A"

Anthony R. Distasio, Esquire
No. 2007-CV-729
Judgment: \$24,856.50

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WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
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Defendant

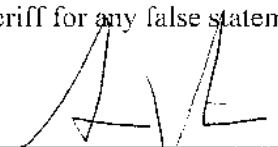
: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
: CIVIL ACTION - LAW
:
: No. 2007-CV-729
: *2007-ED-45*
: ACTION OF MORTGAGE FORECLOSURE

CERTIFICATION

I hereby certify that I am the attorney of record for the Plaintiff in this action against the real property; and further certify that this property is:

- () Tenant Occupied or vacant, containing 2 or more rental units
- () Commercial
- () As a result of a Complaint in Assumpsit
- (X) That the Plaintiff has complied in all respects with Section 403 of the Mortgage Assistance Act, including but not limited to:
 - (a) service of notice on Defendant(s)
 - (b) expiration of 30 days since the service of the notice
 - (c) Defendant(s) failure to request or appear at meeting with mortgagee or Consumer Credit Counseling Agency
 - (d) Defendant(s) failure to file application with the Homeowners Emergency Assistance Program

I further agree to indemnify and hold harmless the Sheriff for any false statement given herein.



Anthony R. Distasio, Esquire
Counsel for Plaintiff

LINTON, DISTASIO & EDWARDS, P.C.
By: Anthony R. Distasio, Esquire
Attorney I.D. No. 46890
1720 Mineral Spring Road, P.O. Box 461
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WACHOVIA BANK, N.A.,
Plaintiff

v.

LUCETTA K. EHMER,
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Defendant

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

: No. 2007-CV-729

: *2007-CV-729*

: ACTION OF MORTGAGE FORECLOSURE
: **AFFIDAVIT THAT THE DEFENDANT IS**
: **NOT IN THE MILITARY SERVICE**
: **PURSUANT TO "SOLDIERS AND**
: **SAILORS" CIVIL RELIEF ACT OF 1918,**
: **RE-ENACTED 1940**

BERKS COUNTY, SS: Before me, the undersigned authority, personally appeared Anthony R. Distasio, Esquire, who being duly sworn according to law, doth depose and say that Lucetta K. Ehmer, Defendant, is not in the Military or Naval Service, based on the following facts:

Age of Defendant;

Present place of employment;

Present place of residence; 2578 Old Berwick Road, Bloomsburg, PA 17815

ADDITIONAL FACTS, if any:

AVE

Anthony R. Distasio, Esquire

Sworn to and subscribed before me this

6th day of *March*, 2008.

Valerie L. Clark

Notary Public

NOTARIAL SEAL
VALERIE L. CLARK
Notary Public
TILDEN TWP, BERKS COUNTY
My Commission Expires Mar 28, 2009

OFFICIAL CHECK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

23-97
1020

AN INDEMNITY AND/OR SURETY BOND MAY BE REQUIRED PRIOR TO REPLACEMENT OR REFUND OF THIS CHECK IF LOST OR DESTROYED

252883475

0802845

WACHOVIA

02/28/2008

Pay To The
Order Of

*****COLUMBIA COUNTY SHERIFF*****

\$ 1,350.00

*ONE THOUSAND THREE HUNDRED FIFTY DOLLARS AND 00 CENTS

EHMER 4386-5422-1160-3664

Remitter

Issued by Integrated Payment Systems Inc., Englewood, Colorado
JPMorgan Chase Bank, N.A. Denver, Colorado

DRAWER: Wachovia Bank, National Association
Authorized Signature

Dollar



MP

⑈099562⑈ ⑈102000979⑈ 6800252883475⑈