

# SHERIFF'S SALE COST SHEET

First Nat. Bank of PA vs.                       
 NO. 103-07 ED NO. 563-07 JD DATE/TIME OF SALE Stayed

DOCKET/RETURN	\$15.00
SERVICE PER DEF.	\$ <u>2.00</u>
LEVY (PER PARCEL	\$15.00
MAILING COSTS	\$ <u>5.50</u>
ADVERTISING SALE BILLS & COPIES	\$17.50
ADVERTISING SALE (NEWSPAPER)	\$15.00
MILEAGE	\$ <u>12.00</u>
POSTING HANDBILL	\$15.00
CRYING/ADJOURN SALE	\$10.00
SHERIFF'S DEED	\$35.00
TRANSFER TAX FORM	\$25.00
DISTRIBUTION FORM	\$25.00
COPIES	\$ <u>5.50</u>
NOTARY	\$ <u>10.00</u>
TOTAL ***** \$ <u>315.00</u>	

WEB POSTING	\$150.00
PRESS ENTERPRISE INC.	\$
SOLICITOR'S SERVICES	\$75.00
TOTAL ***** \$ <u>150.00</u>	

PROTHONOTARY (NOTARY)	\$10.00
RECORDER OF DEEDS	\$
TOTAL ***** \$ <u>0.00</u>	

REAL ESTATE TAXES:		
BORO, TWP & COUNTY	20	\$
SCHOOL DIST.	20	\$
DELINQUENT	20	\$ <u>5.00</u>
TOTAL ***** \$ <u>5.00</u>		

MUNICIPAL FEES DUE:		
SEWER	20	\$
WATER	20	\$
TOTAL ***** \$ <u>0.00</u>		

SURCHARGE FEE (DSTE)	\$ <u>100.00</u>
MISC. <u>100.00</u>	\$ <u>100.00</u>
TOTAL ***** \$ <u>200.00</u>	

TOTAL COSTS (OPENING BID) \$ 665.00

Refund \$ 551.42

**JAMES, SMITH, DIETTERICK & CONNELLY LLP**

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**FACSIMILE TRANSMITTAL SHEET**

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**DATE:** JUNE 18, 2009**TO:** Real Estate Dept. Columbia County**FAX NUMBER:** 570-389-5625**TOTAL PGS W/COVER:** 2**SENDER'S E-MAIL:** jet@jsdc.com**FROM:** Joyce for Scott A. Dietterick,  
Esquire**SENDER'S PHONE NUMBER:**

717.533.3280 EXT.# 2032

**Re:** FNB v. Lozak**SENDER'S FAX NUMBER:**☒ 717.533.2795☐ 717.533.7771

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☐ Per your request    ☐ Please Review AND reply    ☐ for your info

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The materials transmitted by this facsimile are sent by an attorney or his/her agent and are considered confidential and are intended only for the use of the individual or entity named. If the addressee is a client, these materials may also be subject to applicable privileges. If the recipient of these materials is not the addressee, be aware that any dissemination or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us at (717) 533.3280 (collect) and return the transmitted materials to us at the above address via the U.S. postal service. We will reimburse your costs incurred in connection with this erroneous transmission and your return of these materials.

This office will not accept service of legal papers via facsimile or e-mail pursuant to Pa.R.C.P. 440(d)(1) [Service of Legal Papers Other than Original Process].

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**NOTES/COMMENTS:**

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**MAILING ADDRESS:**

P.O. BOX 650 • HERSHEY, PA 17033

**STREET ADDRESS:**

134 SIPE AVE. • HUMMELSTOWN, PA 17036

**PHONE:** 717.533.3280 • **FAX:** 717.533.2795 OR 717.533.7771**E-MAIL:** [jsdcinfo@jsdc.com](mailto:jsdcinfo@jsdc.com)



FACSIMILE - 570-389-5625

P.O. BOX 660  
HERSHEY, PA 17033

County Address:  
131 SIPE AVENUE  
HUMMELSTOWN, PA 17036

TEL. 717 533 3290

WWW.JSOC.COM

June 18, 2009

Office of the Sheriff  
ATTN: REAL ESTATE DEPT.  
Columbia County Courthouse  
P.O. Box 380  
Bloomsburg, PA 17815

**RE: FIRST NATIONAL BANK OF  
PENNSYLVANIA, successor by  
merger to SUNBANK  
vs.  
JOSEPH A. LOZAK  
Docket No. 563 CV 2009  
Our File No. 092945  
Sheriff Sale Date: July 29, 2009**

GARY L. JAMES  
MAX J. SMITH, JR.  
JOHN J. CONNELLY, JR.  
SCOTT A. DIETTERICK  
JAMES F. SPADE  
MATTHEW CHABAL, III  
NEIL W. YAHN  
EDWARD P. SEEBER  
RONALD T. TOMASKO  
SUSAN M. KADEL  
JAHAD W. HANDELMAN  
COURTNEY K. POWELL  
KIMBERLY A. BONNER  
KAREN N. CONNELLY  
JOHN M. HYAMS  
CHRISTINE T. BRANN  
JESSICA E. LOWE  
SEAN M. CONCANNON

OF COUNSEL:  
GREGORY K. RICHARDS  
BERNARD A. RYAN, JR.

Dear Sir or Madam:

Please consider this correspondence a formal request to stay the sheriff sale scheduled for July 29, 2009, in the above-referenced matter. Plaintiff received \$3,904.00 to stop the sale. Please refund any excess from our advance or bill our office for any additional funds due.

Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

**JAMES, SMITH, DIETTERICK & CONNELLY LLP**

  
Scott A. Dietterick  
SAD:jt

cc: Christine Lombardo, First National Bank (Loan No. 8800366133)  
Joseph A. Lozak

TIMOTHY T. CHAMBERLAIN



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

PHONE  
(570) 389-5622

24 HOUR PHONE  
(570) 704-6300

**FIRST NATIONAL BANK OF  
PENNSYLVANIA, SUCCESSOR BY MERGER  
TO SUNBANK**

**Docket # 103ED2009**

**VS**

**MORTGAGE FORECLOSURE**

**JOSEPH A. LOZAK**

**AFFIDAVIT OF SERVICE**

NOW, THIS THURSDAY, JUNE 11, 2009, AT 4:00 PM, SERVED THE WITHIN MORTGAGE FORECLOSURE UPON JOSEPH LOZAK AT RT 42 (IOLA HOTEL), IOLA BY HANDING TO JOSEPH LOZAK, , A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT AND MADE KNOWN TO THEM THE CONTENTS THEREOF.

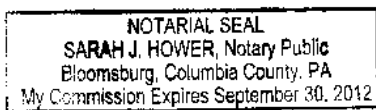
SO ANSWERS,

*Timothy T. Chamberlain*

SHERIFF TIMOTHY T. CHAMBERLAIN

SWORN AND SUBSCRIBED BEFORE ME  
THIS FRIDAY, JUNE 12, 2009

*Sarah J. Hower*  
\_\_\_\_\_  
NOTARY PUBLIC



X

*C. Carroll*  
\_\_\_\_\_  
C. CARROLL  
DEPUTY SHERIFF

459-6496

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 5/20/2009

SERVICE# 1 - OF - 12 SERVICES  
DOCKET # 103ED2009

PLAINTIFF

FIRST NATIONAL BANK OF PENNSYLVANIA,  
SUCCESSOR BY MERGER TO SUNBANK

DEFENDANT  
ATTORNEY FIRM

JOSEPH A. LOZAK  
JAMES, SMITH, DURKIN & CONNELLY LLP

PERSON/CORP TO SERVED

JOSEPH LOZAK

219 DEVIL HOLE ROAD

BENTON

PAPERS TO SERVED

MORTGAGE FORECLOSURE

SERVED UPON JOSEPH LOZAK

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

DATE 06/14/09 TIME 1600 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) SERVED AT 1021A HOREL  
MAIN ST, 1021A PFA

ATTEMPTS

DATE	TIME	OFFICER	REMARKS
<u>150009</u>	<u>1510</u>	<u>59011</u>	<u>LC - NA</u>
<u>6/09/09</u>	<u>1420</u>	<u>59</u>	<u>NA - LC</u>

DEPUTY

[Signature]

DATE 6/14/09

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 5/20/2009

SERVICE# 5 - OF - 12 SERVICES  
DOCKET # 103ED2009

PLAINTIFF

FIRST NATIONAL BANK OF PENNSYLVANIA,  
SUCCESSOR BY MERGER TO SUNBANK

DEFENDANT  
ATTORNEY FIRM

JOSEPH A. LOZAK  
JAMES, SMITH, DURKIN & CONNELLY LLP

PERSON/CORP TO SERVED
ROBERT EDWARDS-TAX COLLECTOR
239 STONEY BROOK ROAD
ORANGEVILLE

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON Robert

RELATIONSHIP Tax-Collector IDENTIFICATION \_\_\_\_\_

DATE 6-5-9 TIME 0930 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

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

TYPE OF SERVICE: A. PERSONAL SERVICE AT POA X 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

J. A. Lozak

DATE

6-5-9

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 5/20/2009

SERVICE# 4 - OF - 12 SERVICES  
DOCKET # 103ED2009

PLAINTIFF FIRST NATIONAL BANK OF PENNSYLVANIA,  
SUCCESSOR BY MERGER TO SUNBANK

DEFENDANT JOSEPH A. LOZAK  
ATTORNEY FIRM JAMES, SMITH, DURKIN & CONNELLY LLP

PERSON/CORP TO SERVED
TENANT(S)
2538 STATE ROUTE 487 BOX 99
ORANGEVILLE

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON ~~JOSEPH A. LOZAK~~ Carolyn J. Lozak

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

DATE 6-2-9 TIME 1600 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

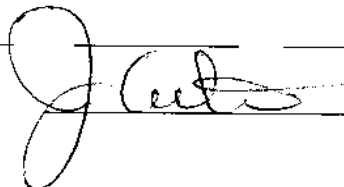
F. OTHER (SPECIFY) \_\_\_\_\_

### ATTEMPTS

DATE	TIME	OFFICER	REMARKS
------	------	---------	---------

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DEPUTY



DATE 6-2-9

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 5/20/2009

SERVICE# 6 - OF - 12 SERVICES  
DOCKET # 103ED2009

PLAINTIFF

FIRST NATIONAL BANK OF PENNSYLVANIA,  
SUCCESSOR BY MERGER TO SUNBANK

DEFENDANT  
ATTORNEY FIRM

JOSEPH A. LOZAK  
JAMES, SMITH, DURKIN & CONNELLY LLP

PERSON/CORP TO SERVED
DOMESTIC RELATIONS
15 PERRY AVE.
BLOOMSBURG

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON MAURFEE COLE

RELATIONSHIP INTAKE CLERK IDENTIFICATION \_\_\_\_\_

DATE 05.29.09 TIME 1400 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) \_\_\_\_\_

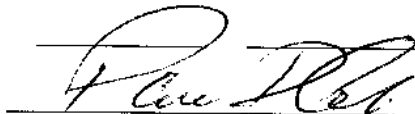
ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

DEPUTY



DATE 05.29.09



# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 5/20/2009

SERVICE# 9 - OF - 12 SERVICES  
DOCKET # 103ED2009

PLAINTIFF

FIRST NATIONAL BANK OF PENNSYLVANIA,  
SUCCESSOR BY MERGER TO SUNBANK

DEFENDANT  
ATTORNEY FIRM

JOSEPH A. LOZAK  
JAMES, SMITH, DURKIN & CONNELLY LLP

<b>PERSON/CORP TO SERVED</b>
COLUMBIA COUNTY TAX CLAIM
PO BOX 380
BLOOMSBURG

**PAPERS TO SERVED**  
MORTGAGE FORECLOSURE

SERVED UPON DEB MILLER

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

DATE 06/01/09 TIME 0815 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) SERVED ON CLERK  
IN TAX OFFICE

ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

DEPUTY

B. A. Carroll

DATE

06/01/09

AKR

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 4. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

INTERNAL REVENUE SERVICE  
TECHNICAL SUPPORT GROUP  
WILLIAM GREEN FEDERAL BUILDING  
600 ARCH STREET ROOM 3259  
PHILADELPHIA, PA 19106

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature *[Signature]* ☐ Agent ☒ Addressee
- B. Received by (Printed Name) *DAVID RIBBLE* C. Date of Delivery *JUN 1 2009*
- D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

(Transfer from service label)

7007 2560 0002 1259 7650

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 4. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

U.S. SMALL BUSINESS ADMINISTRATION  
PHILADELPHIA DISTRICT OFFICE

1150 1st Ave

Kings of Prussia Pa

19406

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature *[Signature]* ☐ Agent ☒ Addressee
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

- Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

Restricted Delivery? (Extra Fee) ☐ Yes

2560 0002 1259 7643

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 4. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Commonwealth of PA  
PO Box 2675  
Harrisburg, PA 17105

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature *[Signature]* ☐ Agent ☒ Addressee
- B. Received by (Printed Name) *Lee Simmons* C. Date of Delivery *JUN 01 2009*
- D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

(Transfer from service label)

7007 2560 0002 1259 7667

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature *[Signature]* ☐ Agent ☒ Addressee
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

ANITA  
SHERIFF SALE

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature *[Signature]* ☐ Agent ☒ Addressee
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature *[Signature]* ☐ Agent ☒ Addressee
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

COUNTY OF COLUMBIA  
REAL ESTATE TAX CERTIFICATION

Date: 06/01/2009

Fee: \$5.00

Cert. NO: 6200

LOZAK JOSEPH A  
C/O CAROLYN LOZAK  
2538 STATE ROUTE 487  
ORANGEVILLE PA 17859

District: ORANGE TWP  
Deed: 0263 -0880  
Location: 2538 STATE ROUTE 487  
Parcel Id: 27 -07 -012-00,000

Assessment: 16,255  
Balances as of 06/01/2009

YEAR	TAX TYPE	TAX AMOUNT	PENALTY	DISCOUNT	PAID	BALANCE
------	----------	------------	---------	----------	------	---------

NO TAX CLAIM TAXES DUE

By: Timothy T. Chamberlain, Sheriff Per: dm.

**JAMES, SMITH, DIETTERICK & CONNELLY LLP**

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**DATE:** May 29, 2009

---

**TO:** Sheriff Chamberlain**FAX NUMBER:** 570-389-5625

---

**TOTAL PGS W/COVER:** 2**SENDER'S E-MAIL:** cls@jsdc.com

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**FROM:** Chris Spurlock**SENDER'S PHONE NUMBER:**

717.533.3280 EXT.# 2018

---

**Re:** First National v. Lozak**SENDER'S FAX NUMBER:**☒ 717.533.2795☐ 717.533.7771

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☐ Per your request    ☐ Please Review AND reply    ☐ for your info

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This office will not accept service of legal papers via facsimile or e-mail pursuant to Pa.R.C.P. 440(d)(1) [Service of Legal Papers Other than Original Process].

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**NOTES/COMMENTS:****MAILING ADDRESS:**

P.O. BOX 650 • HERSHEY, PA 17033

**STREET ADDRESS:**

134 SIPE AVE. • HUMMELSTOWN, PA 17036

**PHONE:** 717.533.3280 • **FAX:** 717.533.2795 OR 717.533.7771**E-MAIL:** [JSOCINFO@JSDLEGAL.COM](mailto:JSOCINFO@JSDLEGAL.COM)

**IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY, PENNSYLVANIA**

FIRST NATIONAL BANK OF  
PENNSYLVANIA, successor by  
merger to SUNBANK,

Plaintiff

Docket No.: 563 CV 2009

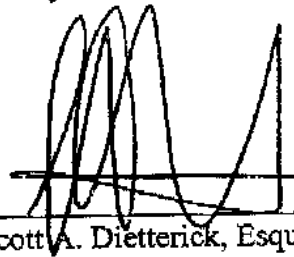
v.

JOSEPH A. LOZAK,

Defendant.

**WAIVER OF WATCHMAN/WAIVER OF INSURANCE**

Any Deputy Sheriff levying upon or attaching any property under which writ may leave same without a watchman, in custody of whoever is found in possession, after notifying such person of such levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof; and the Sheriff is hereby released from all liability to protect the property described in the above execution by insurance, which insurance is hereby waived.

  
\_\_\_\_\_  
Scott A. Dietterick, Esquire  
Attorney for Plaintiff

# REAL ESTATE OUTLINE

ED # 103-09

DATE RECEIVED 5-20-09

DOCKET AND INDEX 5-29-09

## CHECK FOR PROPER INFO.

WRIT OF EXECUTION

COPY OF DESCRIPTION

WHEREABOUTS OF LKA

NON-MILITARY AFFIDAVIT

NOTICES OF SHERIFF SALE

WAIVER OF WATCHMAN

AFFIDAVIT OF LIENS LIST

CHECK FOR \$1,350.00 OR \_\_\_\_\_

✓  
✓  
✓  
✓  
✓  
✓  
✓  
✓

CK# 76067

**\*\*IF ANY OF ABOVE IS MISSING DO NOT PROCEED\*\***

SALE DATE

July 27, 09 TIME 1000

POSTING DATE

Same 25, 09

ADV. DATES FOR NEWSPAPER

1<sup>ST</sup> WEEK July 8

2<sup>ND</sup> WEEK 15

3<sup>RD</sup> WEEK 22, 09

# SHERIFF'S SALE

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WEDNESDAY JULY 29, 2009 AT 10:00 AM

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BY VIRTUE OF A WRIT OF EXECUTION NO. 73 OF 2009 ED AND CIVIL WRIT NO. 563 OF 2009 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

All that certain tract or parcel of land situate in Orange Township, Columbia County, State of Pennsylvania, as more fully described in Decd Book 574, Page 162, ID# 27-07-012, Being known and designated as metes and bounds property.

Deed from Carolyn J. Lozak, single as set forth in Decd Book 574, Page 162 dated 5/20/1994 and recorded 07/15/1994, Columbia County Records, Commonwealth of Pennsylvania.

BEING KNOWN AS 2538 State route 487, Box 99, Orangeville, PA 17859, IMPROVED with a single family dwelling.

BEING TAX PARCEL NO. 27-07-012

## 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.

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Plaintiff's Attorney  
Scott A. Dietterick  
PO Box 650  
Hershey, PA 17033

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

# SHERIFF'S SALE

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WEDNESDAY JULY 29, 2009 AT 10:00 AM

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BY VIRTUE OF A WRIT OF EXECUTION NO. 73 OF 2009 ED AND CIVIL WRIT NO. 563 OF 2009 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

All that certain tract or parcel of land situate in Orange Township, Columbia County, State of Pennsylvania, as more fully described in Deed Book 574, Page 162, ID# 27-07-012, Being known and designated as metes and bounds property.

Deed from Carolyn J. Lozak, single as set forth in Deed Book 574, Page 162 dated 5/20/1994 and recorded 07/15/1994, Columbia County Records, Commonwealth of Pennsylvania.

BEING KNOWN AS 2538 State route 487, Box 99, Orangeville, PA 17859, IMPROVED with a single family dwelling.

BEING TAX PARCEL NO. 27-07-012

## TERMS OF SALE

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**IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY, PENNSYLVANIA**

**WRIT OF EXECUTION (MORTGAGE FORECLOSURE)**

FIRST NATIONAL BANK OF  
PENNSYLVANIA, successor by  
merger to SUNBANK,

Plaintiff

v.

JOSEPH A. LOZAK,

Defendant(s)

Docket No.: 563 CV 2009

Execution No.: 2009 ED-103

To the Sheriff of Columbia County:

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

See Exhibit "A" attached.

Amount Due	<u>\$14,644.19</u>
Interest from <u>5/19/2009</u> to date of sale	<u>\$ 1,056.40</u>
<b>Total</b>	<b>\$15,700.59, plus costs to be added</b>

Date: 05-21-09

Prothonotary of Columbia County

SEAL

BY: Barbara J. Smith

DEPUTY Clk

**Proth & Clerk of Sev. Courts  
My Com. Ex. 1<sup>st</sup> Monday in 2012**

**IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY, PENNSYLVANIA**

FIRST NATIONAL BANK OF  
PENNSYLVANIA, successor by  
merger to SUNBANK,

Plaintiff

v.

JOSEPH A. LOZAK,

Defendant(s)

Docket No.: 563 CV 2009

Execution No.: 2009-ED-103

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BEING TAX PARCEL NO. 27-07-012

**EXHIBIT "A"**

**IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY, PENNSYLVANIA**

FIRST NATIONAL BANK OF  
PENNSYLVANIA, successor by  
merger to SUNBANK,

Plaintiff

v.

Docket No.: 563 CV 2009

2009-ED-103

JOSEPH A. LOZAK,

Defendant(s)

**AFFIDAVIT PURSUANT TO RULE 3129.1**

First National Bank of Pennsylvania, successor by merger to SunBank, Plaintiff in the above action, sets forth as of the date the Praecipe for Writ of Execution was filed the following information concerning the real property located at 2538 State Route 487, Box 99, Orangeville, Columbia County, Pennsylvania 17859:

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

JOSEPH A. LOZAK

219 Devil Hole Road  
Benton, PA 17814

2. Name and Address of Defendant(s) in the Judgment:

JOSEPH A. LOZAK

219 Devil Hole Road  
Benton, PA 17814

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

FIRST NATIONAL BANK OF PENNSYLVANIA, Plaintiff  
successor by merger to SUNBANK

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

FIRST NATIONAL BANK OF PENNSYLVANIA, Plaintiff  
successor by merger to SUNBANK



COLUMBIA COUNTY TAX CLAIM BUREAU

Columbia County Courthouse  
P. O. Box 380  
Bloomsburg, PA 17815

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:

DEPT OF REVENUE

PA Inheritance Tax Division  
Dept. 280601  
Harrisburg, PA 17128-0601

COMMONWEALTH OF PA

Dept. of Welfare  
P.O. Box 2675  
Harrisburg, PA 17105

CURRENT TENANTS/OCCUPANTS

2538 State Route 487  
Box 99  
Orangeville, PA 17859

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:

COLUMBIA COUNTY DOMESTIC  
RELATIONS OFFICE

Columbia County Courthouse  
P. O. Box 380  
Bloomsburg, PA 17815

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.

JAMES, SMITH, DIETTERICK & CONNELLY LLP

DATED: May 19, 2009

BY: 

Scott A. Dietterick, Esquire  
Attorneys for Plaintiff  
PA ID #55650  
P.O. Box 650,  
Hershey, PA 17033  
(717) 533-3280

**IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY, PENNSYLVANIA**

FIRST NATIONAL BANK OF  
PENNSYLVANIA, successor by  
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Plaintiff

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Dept. 280601  
Harrisburg, PA 17128-0601

COMMONWEALTH OF PA

Dept. of Welfare  
P.O. Box 2675  
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JAMES, SMITH, DIETTERICK & CONNELLY LLP

DATED: May 19, 2009

BY: 

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**SHERIFF'S INSTRUCTION**

TO: Sheriff of Columbia County, Pennsylvania

PLAINTIFF: First National Bank of Pennsylvania, successor by merger to SunBank

DEFENDANT(S): Joseph A. Lozak

TYPE OF WRIT  
OR COMPLAINT: **NOTICE OF SALE**

SERVE AT: 219 Devil Hole Road, Benton, PA 17814

Sir: **Please serve Joseph A. Lozak, OR an adult member of the family with whom he resides, OR an adult individual in charge of the residence with a true and correct copy of the Notice of Sheriff Sale.**

Date of Service: \_\_\_\_\_ Time: \_\_\_\_\_

Served Upon (If someone  
other than Defendant): \_\_\_\_\_

Address (if different  
than as stated above): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Columbia County Sheriff's Office:

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

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

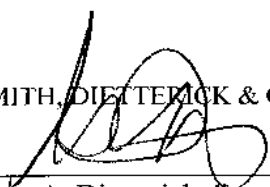
**PLEASE RETURN SERVICE TO THE FOLLOWING ADDRESS IN THE ENCLOSED  
SELF- ADDRESSED, STAMPED ENVELOPE TO:**

James, Smith, Dietterick & Connelly LLP  
ATTN: Scott A. Dietterick, Esquire  
P.O. Box 650  
Hershey, PA 17033

JAMES, SMITH, DIETTERICK & CONNELLY LLP

DATED: May 19, 2009

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

  
Scott A. Dietterick, Esquire  
Attorneys for Plaintiff  
P.O. Box 650  
Hershey, PA 17033  
(717) 533-3280



ORIGINAL

**IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY, PENNSYLVANIA**

FIRST NATIONAL BANK OF  
PENNSYLVANIA, successor by  
merger to SUNBANK,

Plaintiff

Docket No.: 563 CV 2009

v.

JOSEPH A. LOZAK,

Defendant(s)

**NOTICE OF SHERIFF'S SALE  
OF REAL PROPERTY PURSUANT TO  
PENNSYLVANIA RULE OF CIVIL PROCEDURE 3129**

Joseph A. Lozak  
219 Devil Hole Road  
Benton, PA 17814

**TAKE NOTICE:**

That the Sheriff's Sale of Real Property (Real Estate) will be held at the Columbia County Court House, Office of the Sheriff, 34 West Main Street, Bloomsburg, Pennsylvania 17815 on \_\_\_\_\_ at \_\_\_\_\_ .m. prevailing local time.

THE PROPERTY TO BE SOLD is delineated in detail in a legal description consisting of a statement of the measured boundaries of the property, together with a brief mention of the buildings and any other major improvements erected on the land.

(SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A").

The LOCATION of your property to be sold is:

2538 State Route 487, Box 99  
Orangeville, Pennsylvania 17859  
Columbia County

The JUDGMENT under or pursuant to which your property is being sold is docketed to:

No. 563 CV 2009

THE NAME(S) OF THE OWNER(S) OR REPUTED OWNER(S) OF THIS PROPERTY  
ARE:

Joseph A. Lozak

A SCHEDULE OF DISTRIBUTION, being a list of the persons and/or governmental or corporate entities or agencies being entitled to receive part of the proceeds of the sale received and to be disbursed by the Sheriff (for example to banks that hold mortgages and municipalities that are owed taxes), will be filed by the Sheriff thirty (30) days after the sale, and distribution of the proceeds of sale in accordance with this schedule will, in fact, be made unless someone objects by filing exceptions to it, within ten (10) days of the date it is filed. Information about the Schedule of Distribution may be obtained from the Sheriff of the Court of Common Pleas of Columbia County, P.O. Box 380, Bloomsburg Pennsylvania 17815.

THIS PAPER IS A NOTICE OF THE TIME AND PLACE OF THE SALE  
OF YOUR PROPERTY.

It has been issued because there is a Judgment against you. It may cause your property to be held, to be sold 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.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. GO  
TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU  
CAN GET FREE LEGAL ADVICE.

**Susquehanna Legal Services  
168 E. 5<sup>th</sup> Street  
Bloomsburg, PA 17815  
(717) 784-8760**

THE LEGAL RIGHTS YOU MAY HAVE ARE:

1. You may file a petition with the Court of Common Pleas of Columbia County to open the Judgment if you have a meritorious defense against the person or company that has entered judgment against you. You may also file a petition with the same Court if you are aware of a legal defect in the obligation or the procedure used against you.
2. After the Sheriff's Sale, you may file a petition with the Court of Common Pleas of Columbia County to set aside the sale for a grossly inadequate price or for other proper cause. This petition must be filed before the Sheriff's Deed is delivered.
3. A petition or petitions raising the legal issues or rights mentioned in the preceding paragraphs must be presented to the Court of Common Pleas of Columbia County. The petition must be served on the attorney for the creditor or on the creditor before presentation to the Court and a proposed order or rule must be attached to the petition. If a specific return date is desired, such date must be obtained from the Court Administrator's Office, Columbia County Courthouse, P.O. Box 380, Bloomsburg, Pennsylvania 17815, before presentation of the petition to the Court.

**JAMES, SMITH, DIETTERICK &  
CONNELLY LLP**

By: 

\_\_\_\_\_  
Scott A. Dietterick, Esquire  
Attorney I.D.#55650  
P.O. Box 650  
Hershey, PA 17033  
(717) 533-3280

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

**and**

**VIA PERSONAL SERVICE BY THE COLUMBIA CO. SHERIFF**

**IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY, PENNSYLVANIA**

FIRST NATIONAL BANK OF  
PENNSYLVANIA, successor by  
merger to SUNBANK,

Plaintiff

v.

JOSEPH A. LOZAK,

Defendant(s)

Docket No.: 563 CV 2009

Execution No.:

**LEGAL DESCRIPTION**

All that certain tract or parcel of land situate in Orange Township, Columbia County, State of Pennsylvania, as more fully described in Deed Book 574, Page 162, ID# 27-07-012, Being known and designated as metes and bounds property.

Deed from Carolyn J. Lozak, single as set forth in Deed Book 574, Page 162 dated 5/20/1994 and recorded 07/15/1994, Columbia County Records, Commonwealth of Pennsylvania.

BEING KNOWN AS 2538 State route 487, Box 99, Orangeville, PA 17859, IMPROVED with a single family dwelling.

BEING TAX PARCEL NO. 27-07-012

**EXHIBIT "A"**

**SHERIFF'S INSTRUCTION**

TO: Sheriff of Columbia County, Pennsylvania

PLAINTIFF: First National Bank of Pennsylvania, successor by merger to SunBank

DEFENDANT(S): Joseph A. Lozak

TYPE OF WRIT  
OR COMPLAINT: **NOTICE OF SALE**

SERVE AT: 2538 State Route 487, Box 99, Orangeville, PA 17859

Sir: **Please serve Joseph A. Lozak, OR an adult member of the family with whom he resides, OR an adult individual in charge of the residence with a true and correct copy of the Notice of Sheriff Sale.**

Date of Service: \_\_\_\_\_ Time: \_\_\_\_\_

Served Upon (If someone  
other than Defendant): \_\_\_\_\_

Address (if different  
than as stated above): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Columbia County Sheriff's Office:

Name: \_\_\_\_\_  
Title: \_\_\_\_\_


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

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SELF- ADDRESSED, STAMPED ENVELOPE TO:**

James, Smith, Dietterick & Connelly LLP  
ATTN: Scott A. Dietterick, Esquire  
P.O. Box 650  
Hershey, PA 17033

JAMES, SMITH, DIETTERICK & CONNELLY LLP

DATED: May 19, 2009

BY:   
\_\_\_\_\_  
Scott A. Dietterick, Esquire  
Attorneys for Plaintiff  
P.O. Box 650  
Hershey, PA 17033  
(717) 533-3280

**IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY, PENNSYLVANIA**

FIRST NATIONAL BANK OF  
PENNSYLVANIA, successor by  
merger to SUNBANK,

Plaintiff

Docket No.: 563 CV 2009

v.

JOSEPH A. LOZAK,

Defendant(s)

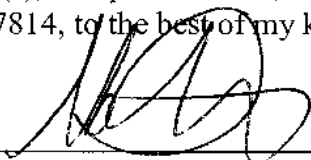
**AFFIDAVIT OF LAST KNOWN ADDRESS**

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF DAUPHIN

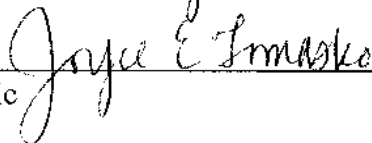
Before me, the undersigned authority, a Notary Public in and for said County and Commonwealth, personally appeared Scott A. Dietterick, Esquire, attorney for and authorized representative of Plaintiff who, being duly sworn according to law, deposes and says that the last known address of Defendant(s), Joseph A. Lozak, is 219 Devil Hole Road, Benton, Columbia County, Pennsylvania 17814, to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Scott A. Dietterick, Esquire

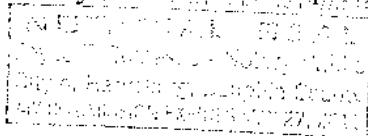
Sworn to and subscribed before me

this 19<sup>th</sup> day of May, 2009.

\_\_\_\_\_  
Notary Public



My Commission Expires:



**IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY, PENNSYLVANIA**

FIRST NATIONAL BANK OF  
PENNSYLVANIA, successor by  
merger to SUNBANK,

Plaintiff

Docket No.: 563 CV 2009

v.

JOSEPH A. LOZAK,

Defendant(s)

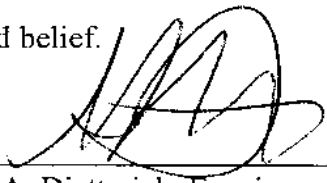
**AFFIDAVIT OF NON-MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF DAUPHIN

Before me, the undersigned authority, a Notary Public in and for said County and Commonwealth, personally appeared Scott A. Dietterick, Esquire, attorney for and authorized representative of Plaintiff who, being duly sworn according to law, deposes and says that the Defendant(s) is(are) not in the military service of the United States of America to the best of his knowledge, information and belief.

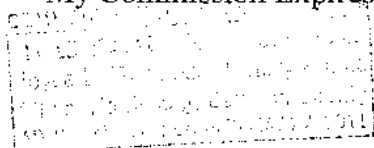
  
\_\_\_\_\_  
Scott A. Dietterick, Esquire

Sworn to and subscribed before me

this 19<sup>th</sup> day of May, 2009.

\_\_\_\_\_  
Notary Public

My Commission Expires:



ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

76067

JAMES, SMITH, DIETTERICK & CONNELLY, LLP

OPERATING ACCOUNT

P.O. BOX 650

HERSHEY, PA 17033

PH. 717-533-3280

MID PENN BANK  
MILLERSBURG, PA 17061

NUMBER

76067

60-880/313

One thousand three hundred fifty and NO/100

PAY  
TO THE  
ORDER  
OF

Columbia County Sheriff

DATE

05/19/2009

AMOUNT

1350.00

VOID AFTER 6 MONTHS

*Libacca Day*

AUTHORIZED SIGNATURE

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

⑈076067⑈ ⑈031308807⑈ 950415⑈⑈