

# SHERIFF'S SALE COST SHEET

Countywide Home Loans VS. Jose & Refugio Aranda  
 NO. 13809 ED NO. 65107 JD DATE/TIME OF SALE Dec, 2 1990

DOCKET/RETURN	\$15.00	
SERVICE PER DEF.	\$ <u>225.00</u>	
LEVY (PER PARCEL	\$15.00	
MAILING COSTS	\$ <u>42.00</u>	
ADVERTISING SALE BILLS & COPIES	\$17.50	
ADVERTISING SALE (NEWSPAPER)	\$15.00	
MILEAGE	\$ <u>24.00</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>15.00</u>	
NOTARY	\$ <u>15.00</u>	
TOTAL *****		\$ <u>486.00</u>

WEB POSTING	\$150.00	
PRESS ENTERPRISE INC.	\$ <u>800.00</u>	
SOLICITOR'S SERVICES	\$75.00	
TOTAL *****		\$ <u>1025.00</u>

PROTHONOTARY (NOTARY)	\$10.00	
RECORDER OF DEEDS	\$ <u>5.00</u>	
TOTAL *****		\$ <u>15.00</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	\$	<u>2628.14</u>
WATER	20	\$	
TOTAL *****			\$ <u>2628.14</u>

SURCHARGE FEE (DSTE)		\$	<u>160.00</u>
MISC.		\$	
TOTAL *****			\$ <u>- 0 -</u>

TOTAL COSTS (OPENING BID) \$ 4425.66

# COLUMBIA COUNTY SHERIFF'S OFFICE

## SHERIFF'S REAL ESTATE FINAL COST SHEET

Countrywide Home Loans VS Bank of America Branch

NO. 138-09 ED NO. 63497 JD

DATE/TIME OF SALE: Dec 2 2009

BID PRICE (INCLUDES COST) \$ 375,26

POUNDAGE - 2% OF BID \$ 8,171

TRANSFER TAX - 2% OF FAIR MKT \$ -

MISC. COSTS \$ -

TOTAL AMOUNT NEEDED TO PURCHASE \$ 415,24,57

PURCHASER(S): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAMES(S) ON DEED: \_\_\_\_\_

PURCHASER(S) SIGNATURE(S): Agent for Phelan, Hallinan & Schmieg

Theresa J. Mull

TOTAL DUE: \$ 4524,57

LESS DEPOSIT: \$ 1330,00

DOWN PAYMENT: \$ \_\_\_\_\_

TOTAL DUE IN 8 DAYS \$ 3114,37

PHELAIN HALLINAN & SCHMIEG, LLP

1617 JFK Boulevard, Suite 1400

Philadelphia, PA 19103

Operator Assisted 215-563-7000, Ext 1477

Automated Assisted 320-0007-Ext, 1477

Fax: 215-563-7009

[nora.ferrer@fedphe-pa.com](mailto:nora.ferrer@fedphe-pa.com)

Nora Ferrer  
Legal Assistant, ext.1477

Representing Lenders in  
Pennsylvania and New Jersey

December 3, 2009

Office of the Sheriff  
Columbia County Courthouse  
5 West Main Street  
Bloomsburg, PA 17815

Re: Jose R. Posada & Petronila Posada  
1106 First Avenue  
Berwick, PA 18603  
No. 2007-CV-631

**URGENT**

Dear Sir or Madam:

I hereby assign my bid on the above captioned property knocked-down to me Daniel G. Schmieg as "attorney-on-the-writ" to **FANNIE MAE**, P.O Box 650043, Dallas, TX 75265-0043.

Please send a copy of the Deed via facsimile, record the original and send notification of the recording date. Enclosed please find two Realty Transfer Tax Statement of Values and two stamped self-addressed envelopes for your convenience.

Your cooperation in this matter would be appreciated.

Yours truly,

  
Nora Ferrer

Enclosure

cc: BAC Home Loans

Account No. 149994

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF REVENUE  
BUREAU OF INDIVIDUAL TAXES  
DEPT. 280603  
HARRISBURG, PA 17128-0603

## REALTY TRANSFER TAX STATEMENT OF VALUE

See Reverse for Instructions

### RECORDER'S USE ONLY

State Tax Paid

Book Number

Page Number

Date Recorded

Complete each section and file in duplicate with Recorders of Deeds when (1) the full value/consideration is not set forth in the deed, (2) when the deed is without consideration, or by gift, or (3) a tax exemption is claimed. A statement of value is not required if the transfer is wholly exempt from tax based on: (1) family relationship or (2) public utility easement. If more space is needed, attach additional sheet(s).

### A CORRESPONDENT - All inquiries may be directed to the following person:

Name <b>PHELAN HALLINAN &amp; SCHMIEG, LLP</b>	Suite 1400	Area Code ( 215 ) 563-7000
Street Address <b>One Penn Center at Suburban Station 1617 JFK Blvd.</b>	City <b>Philadelphia</b>	State <b>PA</b>
		Zip Code <b>19103</b>

### B TRANSFER DATA

Grantor(s)/Lessor(s) <b>Timothy T. Chamberlain - Sheriff Columbia County Courthouse</b>	Grantee(s)/Lessee(s) <b>FANNIE MAE</b>
Street Address <b>P.O. Box 380, 35 W. Main St.</b>	Street Address <b>P.O. Box 650043</b>
City <b>Bloomsburg</b>	City <b>Dallas</b>
State <b>PA</b>	State <b>TX</b>
Zip Code <b>17815</b>	Zip Code <b>75265-0043</b>

### C PROPERTY LOCATION

Street Address <b>1106 First Avenue, Berwick, PA 18603</b>	City, Township, Borough <b>Borough of Berwick</b>
County <b>COLUMBIA</b>	School District <b>Berwick SD</b>
	Tax Parcel Number <b>04C-02-200</b>

### D VALUATION DATA

1. Actual Cash Consideration <b>\$4,435.66</b>	2. Other Consideration <b>+ -0-</b>	3. Total Consideration <b>= \$4,435.66</b>
4. County Assessed Value <b>\$14,789.00</b>	5. Common Level Ratio Factor <b>x 3.69</b>	6. Fair Market Value <b>= 54,571.41</b>

### E EXEMPTION DATA

1a. Amount of Exemption Claimed <b>100%</b>	1b. Percentage of Interest Conveyed <b>100%</b>	1c. Percentage of Grantor's Interest Conveyed <b>100 %</b>
--	--	---

#### 2. Check Appropriate Box Below for Exemption Claimed

- ☐ Will or intestate succession
- ☐ Transfer to Industrial Development Agency.
- ☐ Transfer to a Trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- ☐ Transfer between principal and agent/straw party. (Attach complete copy of agency/straw party agreement.)
- ☐ Transfers to the Commonwealth, the United States and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach a copy of resolution.)
- ☐ Transfer from mortgagor to a holder of a mortgage in default. (Attach copy of Mortgage and note/Assignment.) (If condemnation or in lieu of condemnation, attach copy of resolution.)
- ☐ Corrective or confirmatory deed. (Attach complete copy of the prior deed being corrected or confirmed.)
- ☐ Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- ☐ Other (Please explain exemption claimed, if other than listed above. **Transfer to FANNIE MAE. "This Transfer is an exempt transaction based on 72 P.S. Sect. 8102-C.3.(2) and 12 U.S.C. Sect. 1723a (c) (2)**

Under Penalties of law, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete

Signature of Correspondent or Responsible Party

**Nora M. Ferrer**

Date:

**12/3/09**

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH APPLICABLE DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED

ENTITY VENDOR  
FAP Sheriff of Columbia Co ty [SCOLU]

CHECK DATE CHECK NO.  
2/01/2010 907169

DOC NO	APPLY TO	DATE	VENDOR CREDIT NO	VENDOR INVOICE NO	DOC AMOUNT	DISCOUNT	PAYMENT AMOUNT
907169	000105239	01/29/2010		149994	3,174.37	0.00	3,174.37
NMF (149994) 66605077 POSADA, GCSE							
							3,174.37

PHELAN HALLINAN & SCHMIEG LLP  
ATTORNEY ESCROW ACCOUNT  
ONE PENN CENTER, SUITE 1400  
PHILADELPHIA, PA 19103-1814

PHELAN HALLINAN & SCHMIEG LLP  
ATTORNEY ESCROW ACCOUNT  
ONE PENN CENTER, SUITE 1400  
PHILADELPHIA, PA 19103-1814

TD BANK, N.A.  
PHILADELPHIA, PA 19148

3-180/360

CHECK NO  
907169

DATE	AMOUNT
02/01/2010	*****3,174.37

Void after 180 days

Pay THREE THOUSAND ONE HUNDRED SEVENTY FOUR AND 37/100 DOLLARS

To The Sheriff of Columbia County  
Order 35 W Main Street  
Of Bloomsburg, PA 17815

*Francis S. Hallinan*

907169 000105239 01/29/2010 149994

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) 784-6300

FACSIMILE TRANSMITTAL SHEET

TO: *Nora Ferrier* FROM: *Chamberlain*  
COMPANY: DATE: *12-4-09*  
FAX NUMBER: TOTAL NO. OF PAGES INCLUDING COVER: *3*  
PHONE NUMBER: SENDER'S REFERENCE NUMBER:  
RE: YOUR REFERENCE NUMBER:

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

ATTACHED ARE DOCUMENTS FROM THE COLUMBIA COUNTY SHERIFF'S OFFICE. IF YOU HAVE ANY QUESTIONS CONCERNING THESE DOCUMENTS, PLEASE CALL 570.389.5622. THANK YOU.

PO Box 380  
Bloomsburg, PA 17815

Phone 570-389-5622  
Fax 570-389-5625

**COLUMBIA COUNTY  
SHERIFF'S OFFICE**

**Fax**

**To:** Nora Ferrer

**From:** Sheriff Timothy T. Chamberlain

**Fax:**

**Pages:** 3

**Phone:**

**Date:** 1/6/10

**Re:**

**CC:**

☐ **Urgent**    ☐ **For Review**    ☐ **Please Comment**    ☐ **Please Reply**    ☐ **Please Recycle**

● **Comments:**

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) 784-6300

Monday, July 13, 2009

**DEUTSCHE BANK NATIONAL TRUST COMPANY  
505 CITY PARKWAY WEST  
ORANGE, CA 92868-**

**COUNTRYWIDE HOME LOANS, INC.  
VS  
JOSE R. POSADA  
PETRONILA POSADA**

**DOCKET # 138ED2009**

**JD # 631JD2007**

Dear Sir:

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

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

Respectfully,

Timothy T. Chamberlain  
Sheriff of Columbia County



**Phelan Hallinan & Schmieg, LLP**

By: Daniel G. Schmieg, Esquire

Identification No. 62205

Jay B. Jones, Esquire

Identification No. 86657

Andrew L. Spivack

Identification No. 84439

Jenine R. Davey

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Suite 1400

Philadelphia, PA 19103-1814

Attorney for Plaintiff

(215)563-7000

**Attorney for Plaintiff**

**COUNTRYWIDE HOME LOANS, INC.**

**Plaintiff,**

**v.**

**JOSE R. POSADA**

**PETRONILA POSADA**

**Defendant(s).**

**COLUMBIA COUNTY**

**COURT OF COMMON PLEAS**

**CIVIL DIVISION**

**NO. 2007-CV-631**

*2009-ED-138*

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

**TO: JOSE R. POSADA  
1106 FIRST AVENUE  
BERWICK, PA 18603**

**PETRONILA POSADA  
1106 FIRST AVENUE  
BERWICK, PA 18603**

Please be advised that this firm is a debt collector attempting to collect a debt. Any information received will be used for that purpose. If you have previously received a discharge in bankruptcy and this debt was not reaffirmed, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property..

Your house (real estate) at **1106 FIRST AVENUE, BERWICK, PA 18603** is scheduled to be sold at Sheriff's sale on October 14, 2009, at 9:00 a.m., in the Office of the Sheriff at the Columbia County Courthouse, Bloomsburg, PA 17815, to enforce the Court Judgment of **\$41,619.19** obtained by **COUNTRYWIDE HOME LOANS, INC.**, (the Mortgagee) against you. In the event the sale is continued, an announcement will be made at said sale in compliance with Pa.R.C.P., Rule 3129.3.

**NOTICE OF OWNER'S RIGHTS**

**YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE**

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

1. The Sale will be cancelled if you pay to the Mortgagee, COUNTRYWIDE HOME LOANS, INC., the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call (215) 563-7000.
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 better chance you will have of stopping the Sale. (See the Notice below on how to obtain an attorney.)

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

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling (215) 563-7000.
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 (215) 563-7000.
4. If the amount due from the Buyer is not paid to the Sheriff, you will remain the owner of the property as if the Sale never happened.
5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a Deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You may be entitled to a share of the money which was paid for your real estate. A Schedule of Distribution of the money bid for real estate will be filed by the Sheriff. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reason why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the Schedule of Distribution is filed.
7. You may also have other rights and defenses or ways of getting your home back if you act immediately after the Sale.

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

**COLUMBIA COUNTY  
SUSQUEHANNA LEGAL SERVICES  
168 EAST 5<sup>TH</sup> STREET  
BLOOMSBURG, PA 17815  
(570) 784-8760**

## DESCRIPTION

ALL that certain piece, parcel, or plot of land lying and being situate on the South side of First Avenue, in the Borough of Berwick, County of Columbia, State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the Southerly side of First Avenue, which point is located at the center of Lot 516 of Berwick Land Improvement Company's addition to the Borough of Berwick;

THENCE in an easterly direction along the southerly side of First Avenue, a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being the easterly portion of lot 516 and the next twenty-two and one-half (22-1/2) feet being the westerly one-half of Lot 515, to a point on which is located in the center of a double house, the eastern portion of which is now owned by Frank Capobianco and Rose Capobianco, his wife;

THENCE through the center of said double house, one hundred sixty (160) feet to the Northerly side of a fifteen (15) foot alley;

THENCE westerly along the northerly side of said alley a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being along the westerly portion of Lot 515 and the next twenty-two and one-half (22-1/2) feet being along the easterly half portion of Lot 516, to a point being located in the easterly boundary of lands now owned by Joseph DeFebo;

THENCE northerly through the center line of Lot 516, a distance of one hundred sixty (160) feet to the southerly side of First Avenue, the place of the beginning.

Vested by Deed, dated 06/17/2004, given by Angela Colone, widow to Jose R. Posada and Petronila Posada, his wife and recorded 6/28/2004 Instrument # 200407228  
Real Property Owner: Jose R. Posada and Petronila Posada

Premises being: 1106 FIRST AVENUE, BERWICK, PA 18603  
Tax Parcel #04C-02-200

ADMINISTRATION  
OFFICE  
BUILDING  
200R

SECTION

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, & 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

OFFICE OF F.A.I.R.  
DEPARTMENT OF PUBLIC WELFARE  
PO BOX 8016  
HARRISBURG, PA 17105

2. Article Number

(Transfer from service label)

7007 2560 0002 1259 5540

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature ☒ Agent ☒ Addressee *138*  
*X R. P. Potter*
- B. Received by (Printed Name) *R. P. Potter* Date of Delivery *JUL 15 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

COMPLETE THIS SECTION ON DELIVERY

- A. Signature *138*  
*[Signature]*
- B. Received by (Printed Name) *[Signature]* Date of Delivery *7/17/09*
- C. 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

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, & 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Commonwealth of PA  
PO Box 2675  
Harrisburg, PA 17105

2. Article Number

(Transfer from service label)

7007 2560 0002 1259 5496

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-154

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature ☒ Agent ☒ Addressee *138*  
*X [Signature]*
- B. Received by (Printed Name) *[Signature]* Date of Delivery *JUL 15 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

COMPLETE THIS SECTION ON DELIVERY

- A. Signature *138*  
*[Signature]*
- B. Received by (Printed Name) *[Signature]* Date of Delivery *7-16-09*
- C. 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

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, & 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF REVENUE-ATTN: SHERIFF SALE  
BUREAU OF COMPLIANCE  
CLEARANCE SUPPORT SECTION  
DEPARTMENT 281230  
HARRISBURG, PA 17128-1230

2. Article Number

(Transfer from service label)

7007 2560 0002 1259 5533

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature ☒ Agent ☒ Addressee *138*  
*X [Signature]*
- B. Received by (Printed Name) *[Signature]* Date of Delivery *JUL 16 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

COMPLETE THIS SECTION ON DELIVERY

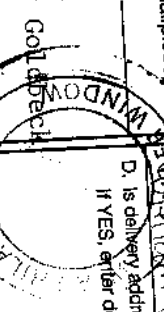
- A. Signature *138*  
*[Signature]*
- B. Received by (Printed Name) *[Signature]* Date of Delivery *7-16-09*
- C. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes





November 13, 2009

Timothy T. Chamberlain  
Sheriff of Columbia County  
Court House- P.O. Box 380  
Bloomsburg, PA 17815

**COUNTRY WIDE HOME LOANS, INC.**

**VS.**

**JOSE R. POSADA  
PETRONILA POSADA**

**DOCKET # 138ED2009**

**JD # 631JD2007**

Dear Timothy:

The *updated* amount due on the sewer account #129542 for the property located at 1106 First Avenue, Berwick, Pa through December 31, 2009 is \$2628.14. This amount includes \$150.00 for lien fees.

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

Sincerely,

Kelly Noss  
Authority Clerk

*Hearing Impaired 711*

*"BAJSA is an Equal Opportunity Provider and Employer"*

1108 Freas Avenue • Berwick, Pennsylvania 18603

*Hearing Impaired 711*

*"BAJSA is an Equal Opportunity Provider and Provider"*

Phone: (570) 752-8477 • Fax: (570) 752-8479

**PHELAN HALLINAN & SCHMIEG**

Suite 1400  
1617 JFK Boulevard  
Philadelphia, PA 19103-1814  
215-563-7000  
Fax (215) 563-3826  
**marc.cornish@fedphe.com**

MARC CORNISH  
Legal Assistant, ext. 1281

Representing Lenders in  
Pennsylvania and New Jersey

Office of the Prothonotary  
COLUMBIA County Courthouse

**Re:** COUNTRYWIDE HOME LOANS, INC.  
VS.  
JOSE R. POSADA and PETRONILA POSADA  
NO: 2007-CV-631  
PHS#: 149994

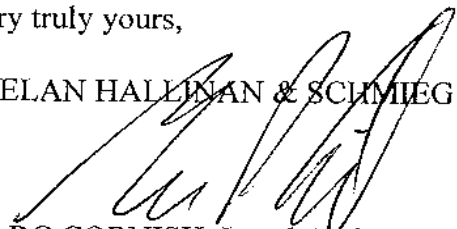
Dear Sir/Madam,

Enclosed please find the original and one copy of a Praeceptum to Mark Judgment to Use Plaintiff as well as an original and one copy of a Praeceptum to Substitute Party Plaintiff Name Change. Kindly file the original of record. Once time-stamped, kindly return the time-stamped copy to me in the envelope enclosed

Very truly yours,

PHELAN HALLINAN & SCHMIEG

By:

  
MARC CORNISH, Legal Assistant

cc: Sheriff of COLUMBIA County

2007-CV-631  
149994

**Phelan Hallinan & Schmieg, LLP**

By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
Michele M. Bradford, Esq., Id. No. 69849  
Judith T. Romano, Esq., Id. No. 58745  
Sheetal R. Shah-Jani, Esq., Id. No. 81760  
Jenine R. Davey, Esq., Id. No. 87077  
Lauren R. Tabas, Esq., Id. No. 93337  
Vivek Srivastava, Esq., Id. No. 202331  
Jay B. Jones, Esq., Id. No. 86657  
Peter J. Mulcahy, Esq., Id. No. 61791  
Andrew L. Spivack, Esq., Id. No. 84439  
Jaime McGuinness, Esq., Id. No. 90134  
Chrisovalante P. Fliakos, Esq., Id. No. 94620  
Joshua I. Goldman, Esq., Id. No. 205047  
Courtenay R. Dunn, Esq., Id. No. 206779  
Andrew C. Bramblett, Esq., Id. No. 208375

ATTORNEY FOR PLAINTIFF

1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
215-563-7000

COUNTRYWIDE HOME LOANS, INC.

Plaintiff

Vs.

JOSE R. POSADA

PETRONILA POSADA

Defendant(s)

: COURT OF COMMON PLEAS  
: COLUMBIA COUNTY  
: No. 2007-CV-631  
:  
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**PRAECIPE FOR VOLUNTARY SUBSTITUTION OF PARTY PLAINTIFF**  
**PURSUANT TO Pa.R.C.P., 2352**

TO THE PROTHONOTARY:

Kindly substitute **BAC Home Loans Servicing, L.P., F/K/A Countrywide Home Loans Servicing, L.P.** as successor Plaintiff for the originally named Plaintiff.

The material facts on which the right of succession and substitution are based as follows:

**BAC Home Loans Servicing, L.P., F/K/A Countrywide Home Loans Servicing, L.P.** is the current holder of the mortgage by virtue of that certain Assignment of Mortgage, which Assignment has been executed and sent for recording in COLUMBIA County on or about **10/12/2009**.

2007-CV-631  
149994

Kindly amend the information on the docket accordingly.

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

PHELAN HALLINAN & SCHMIEG, LLP

By: \_\_\_\_\_

Phelan Hallinan & Schmieg, LLP

Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

✓ Daniel G. Schmieg, Esq., Id. No. 62205

Michelle M. Bradford, Esq., Id. No. 69849

Judith T. Romano, Esq., Id. No. 58745

Sheetal R. Shah-Jani, Esq., Id. No. 81760

Jenine R. Davey, Esq., Id. No. 87077

Lauren R. Tabas, Esq., Id. No. 93337

Vivek Srivastava, Esq., Id. No. 202331

Jay B. Jones, Esq., Id. No. 86657

Peter J. Mulcahy, Esq., Id. No. 61791

Andrew L. Spivack, Esq., Id. No. 84439

Jaime McGuinness, Esq., Id. No. 90134

Chrisovalante P. Fliakos, Esq., Id. No. 94620

Joshua I. Goldman, Esq., Id. No. 205047

Courtenay R. Dunn, Esq., Id. No. 206779

Andrew C. Bramblett, Esq., Id. No. 208375

Attorneys for Plaintiff



PHELAN HALLINAN & SCHMIEG  
Phelan Hallinan & Schmieg, LLP  
Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
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Joshua I. Goldman, Esq., Id. No. 205047  
Courtenay R. Dunn, Esq., Id. No. 206779  
Andrew C. Bramblett, Esq., Id. No. 208375  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
215-563-7000

ATTORNEY FOR PLAINTIFF

**COUNTRYWIDE HOME LOANS, INC.**  
Plaintiff  
vs.

**JOSE R. POSADA**  
and  
**PETRONILA POSADA**  
Defendant(s)

: COLUMBIA COUNTY  
: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 2007-CV-631

**PRAECIPE TO MARK JUDGMENT TO USE PLAINTIFF**  
**ENTRY OF APPEARANCE**

TO THE PROTHONOTARY:

Please mark the judgment in the above-captioned matter to the use of **BAC Home Loans Servicing, L.P., F/K/A Countrywide Home Loans Servicing, L.P.**, located **7105 CORPORATE DRIVE, PLANO, TX 75024**.

2007-CV-631  
149994

PHELAN HALLINAN & SCHMIEG, LLP

By: \_\_\_\_\_

Phelan Hallinan & Schmieg, LLP

Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

~~Daniel G. Schmieg, Esq., Id. No. 62205~~

Michele M. Bradford, Esq., Id. No. 69849

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Joshua I. Goldman, Esq., Id. No. 205047

Courtenay R. Dunn, Esq., Id. No. 206779

Andrew C. Bramblett, Esq., Id. No. 208375

Attorneys for Plaintiff

ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of **BAC Home Loans Servicing, L.P., F/K/A Countrywide Home Loans Servicing, L.P.**, use plaintiff.

PHELAN HALLINAN & SCHMIEG, LLP

By: 

Phelan Hallinan & Schmieg, LLP  
Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
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Joshua I. Goldman, Esq., Id. No. 205047  
Courtenay R. Dunn, Esq., Id. No. 206779  
Andrew C. Bramblett, Esq., Id. No. 208375  
Attorneys for Plaintiff

**Phelan Hallinan & Schmieg, L.L.P.**  
**One Penn Center at Suburban Station**  
**1617 John F. Kennedy Boulevard**  
**Suite 1400**  
**Philadelphia, PA 19103-1814**  
**(215) 563-7000**  
**Fax: (215) 563-7009**

Representing Lenders in  
Pennsylvania and New Jersey

Foreclosure Manager

October 14, 2009

Office of the Sheriff  
Columbia County Courthouse  
35 W. Main Street  
Bloomsburg, PA 17815

Attn: Real Estate Department

Fax Number: 570-389-5625

Re: COUNTRYWIDE HOME LOANS, INC. v.  
JOSE R. POSADA and PETRONILA POSADA  
1106 FIRST AVENUE BERWICK, PA 18603  
Court No. 2007-CV-631

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is scheduled for October 14, 2009 due to the following: Insurance Claim.

The Property is to be relisted for the December 2, 2009 Sheriff Sale.

Thank you for your cooperation in this matter.

Very Truly Yours,  
REGINALD SMITH for  
Phelan Hallinan & Schmieg, LLP

**AFFIDAVIT OF SERVICE**

**Plaintiff: COUNTRYWIDE HOME LOANS, INC.**

**COLUMBIA County  
No 2007-CV-631**

**Defendant(s): JOSE R. POSADA  
PETRONILA POSADA**

**Our File#149994  
Type of Action  
- Notice of Sheriff's Sale**

**Serve: PETRONILA POSADA  
Address: 1106 FIRST AVENUE  
BERWICK, PA 18603**

**Sale Date: OCTOBER 14, 2009**

**\*\*PLEASE ATTEMPT SERVICE AT LEAST 3 TIMES\*\***

**SERVED**

Served and made known to PETRONILA POSADA, Defendant, on the 5<sup>th</sup> day of AUGUST, 2009, at 4:40 o'clock P.m., at 120 S. LEE COURT, HAZLETON, Commonwealth of PA, in the manner described below:

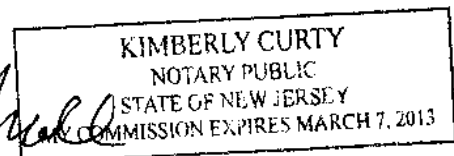
\_\_\_\_\_ Defendant personally served.  
\_\_\_\_\_ ☒ Adult family member with whom Defendant(s) reside(s). Relationship is HUSBAND  
\_\_\_\_\_ Adult in charge of Defendant(s)'s residence who refused to give name or relationship.  
\_\_\_\_\_ Manager/Clerk of place of lodging in which Defendant(s) reside(s).  
\_\_\_\_\_ Agent or person in charge of Defendant(s)'s office or usual place of business.  
\_\_\_\_\_ an officer of said Defendant(s)'s company.  
\_\_\_\_\_ Other: \_\_\_\_\_

Description: Age 40<sup>s</sup> Height 5'5" Weight 180 Race H Sex M Other \_\_\_\_\_

I, RONALD MORE, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this 5 day  
of Aug, 2009  
Notary: \_\_\_\_\_

By: Ronald More



**NOT SERVED**

On the \_\_\_\_\_ day of \_\_\_\_\_, 200\_, at \_\_\_\_\_ o'clock \_\_\_\_m., Defendant **NOT FOUND** because:

\_\_\_\_\_ Moved \_\_\_\_\_ Unknown \_\_\_\_\_ No Answer \_\_\_\_\_ Vacant

Other: 1<sup>ST</sup> ATTEMPT 2<sup>ND</sup> ATTEMPT 3<sup>RD</sup> ATTEMPT

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200\_.

Notary: \_\_\_\_\_

By: \_\_\_\_\_

**Attorney for Plaintiff**

**Daniel G. Schmieg, Esquire - I.D. No. 62205  
One Penn Center at Suburban Station-Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000**

\* 1 WO(2) ATTEMPTS!

AFFIDAVIT OF SERVICE

Plaintiff: COUNTRYWIDE HOME LOANS, INC.

COLUMBIA County  
No 2007-CV-631

Defendant(s): JOSE R. POSADA  
PETRONILA POSADA

Our File#149994  
Type of Action  
- Notice of Sheriff's Sale

Serve: JOSE R. POSADA  
Address: 1106 FIRST AVENUE  
BERWICK, PA 18603

Sale Date: OCTOBER 14, 2009

\*\*PLEASE ATTEMPT SERVICE AT LEAST 3 TIMES\*\*

SERVED

Served and made known to JOSE R. POSADA, Defendant, on the 5th day of AUGUST, 2009, at 4:40 o'clock P.m., at 120 S. LEE CT., HAZLETON, Commonwealth of PA, in the manner described below:

- ☒ Defendant personally served.
- ☐ Adult family member with whom Defendant(s) reside(s). Relationship is \_\_\_\_\_
- ☐ Adult in charge of Defendant(s)'s residence who refused to give name or relationship.
- ☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
- ☐ Agent or person in charge of Defendant(s)'s office or usual place of business.
- ☐ \_\_\_\_\_ an officer of said Defendant(s)'s company.
- ☐ Other: \_\_\_\_\_

Description: Age 40s Height 5'5" Weight 180 Race H Sex M Other \_\_\_\_\_

I, Ronald Moul, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above. \* S.A. IS VACANT. INVESTIGATION DISCLOSED THAT DEFENDANT RESIDES @ 120 S. LEE COURT, HAZLETON PA.

Sworn to and subscribed before me this 5 day of Aug, 2009  
Notary: \_\_\_\_\_

By: Ronald Moul  
NOT SERVED

On the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, at \_\_\_\_\_ o'clock \_\_.m., Defendant NOT FOUND because:  
\_\_\_\_ Moved \_\_\_\_\_ Unknown \_\_\_\_\_ No Answer \_\_\_\_\_ Vacant

Other: 1<sup>ST</sup> ATTEMPT 2<sup>ND</sup> ATTEMPT 3<sup>RD</sup> ATTEMPT

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_.  
Notary: \_\_\_\_\_

Attorney for Plaintiff  
Daniel G. Schmieg, Esquire - I.D. No. 62205  
One Penn Center at Suburban Station-Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

By: \_\_\_\_\_

KIMBERLY CURTY  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
MY COMMISSION EXPIRES MARCH 7, 2013

Phelan Hallinan & Schmieg, LLP  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
215-563-7000  
Fax 215-568-7616

Marc P. Cornish  
Legal Assistant, 1281

Representing Lenders in  
Pennsylvania and New Jersey

9/16/04

Office of the Prothonotary  
Columbia County Courthouse  
P.O. Box 380  
Bloomsburg, PA 17815

No. 2007-CV-631

Re: COUNTRYWIDE HOME LOANS, INC. VS. JOSE R. POSADA, and PETRONILA POSADA  
No. 2007-CV-631

**AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129.1**

Dear Sir/Madam:

Enclosed please find an Affidavit of Service Pursuant to Rule 3129.1 with the necessary attachments regarding the above matter.

Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me.

\*\*\*Please be advised that in the event the Plaintiff is not represented at the sale the sale is to be stayed or postponed.\*\*\*

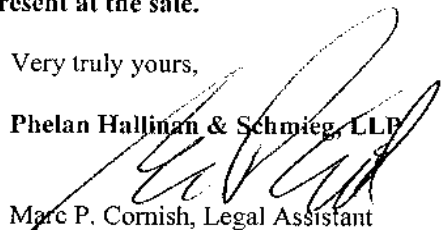
\*\*Property is listed for the 10/14/2009 Sheriff Sale.\*\*

**IMPORTANT NOTICE:** This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

Very truly yours,

Phelan Hallinan & Schmieg, LLP

By:

  
Marc P. Cornish, Legal Assistant

cc: Sheriff of COLUMBIA County

IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY, PENNSYLVANIA

COUNTRYWIDE HOME LOANS, INC.  
Plaintiff,

v.

JOSE R. POSADA  
PETRONILA POSADA  
Defendant(s)

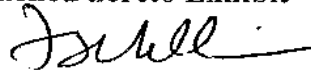
: COLUMBIA COUNTY  
:  
:  
: COURT OF COMMON PLEAS  
:  
:  
: CIVIL DIVISION  
:  
: No. 2007-CV-631  
:

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129.1

COMMONWEALTH OF PENNSYLVANIA )  
COLUMBIA COUNTY )

SS:

As required by Pa. R.C.P. 3129.1(a) Notice of Sale has been given to Lienholders and any known interested party in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address, set forth on the Affidavit and as amended if applicable. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached hereto Exhibit "A".



- ☐ Lawrence T. Phelan, Esq., Id. No. 32227
- ☒ Francis S. Hallinan, Esq., Id. No. 62695
- ☐ Daniel G. Schmieg, Esq., Id. No. 62205
- ☐ Michele M. Bradford, Esq., Id. No. 69849
- ☐ Judith T. Romano, Esq., Id. No. 58745
- ☐ Sheetal R. Shah-Jani, Esq., Id. No. 81760
- ☐ Jenine R. Davey, Esq., Id. No. 87077
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- ☐ Vivek Srivastava, Esq., Id. No. 202331
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- ☐ Chrisovalante P. Fliakos, Esq., Id. No. 94620
- ☐ Joshua J. Goldman, Esq., Id. No. 205047
- ☐ Courtenay R. Dunn, Esq., Id. No. 206779
- ☐ Andrew C. Bramblett, Esq., Id. No. 208375

Attorney for Plaintiff

Date: 9-16-2007

**IMPORTANT NOTICE:** This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.



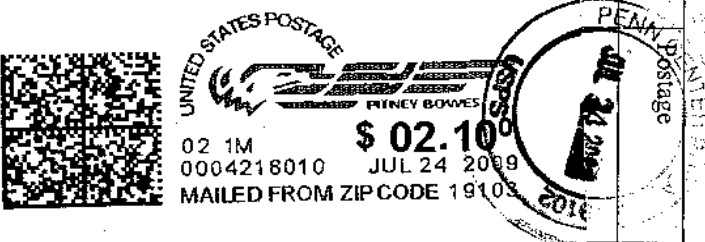
Name and Address of Sender

PHELAN HALLINAN & SCHMIEG LLC  
ONE PENN CENTER, PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103-1814

SUPPORT TEAM

5

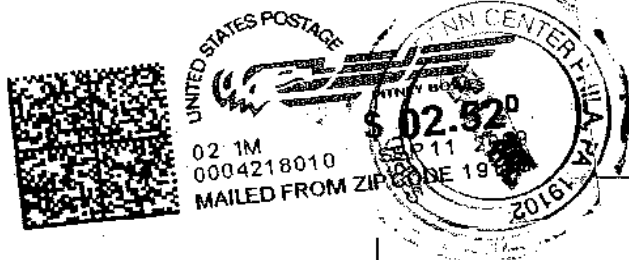
Line	Article Number	Name of Addressee, Street, and Post Office Address	Fee
1	*****	TENANT/OCCUPANT 1106 FIRST AVENUE BERWICK, PA 18603	
2	****	DOMESTIC RELATIONS OF COLUMBIA COUNTY COLUMBIA COUNTY COURTHOUSE P.O. BOX 380 BLOOMSBURG, PA 17815	
3		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE P.O. BOX 2675 HARRISBURG, PA 17105	
4		BERWICK AREA JOINT SEWER AUTHORITY C/O ANTHONY J. McDONALD DICKSON, GORDNER, McDonald & HESS 208 EAST 2 <sup>ND</sup> STREET ERWICK, PA 18603	
5		BERWICK AREA JOINT SEWER AUTHORITY 36 LOWER WOODCREST ROAD BERWICK, PA 18603	
6			
7			
8			
9			
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12			
13			
14			
15		RE:JOSE R. POSADA PHS #149994. TEAM 3/VS	
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)



Name and Address of Sender  
PHELAN HALLINAN & SCHMIEG LLC  
ONE PENN CENTER, PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103-1814

SUPPORT TEAM

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	*****	DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE OF AMERIQUEST MORTGAGE SECURITIES, INC., ASSET BACKED PASS-THROUGH CERTIFICATES, QUEST TRUST SERIES 2005-XI 505 CITY PARKWAY WEST, SUITE 100 ORANGE, CA 92868		
2	****	DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE C/O GOLDBECK, MCAFFERTY & MCKEEVER MELLON INDEPENDENCE CENTER 701 MARKET STREET, SUITE 500 PHILADELPHIA, PA 19106		
3				
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15		RE:JOSE R. POSADA PHS #149994 TEAM S/MPC		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	



STATE OF PENNSYLVANIA  
COUNTY OF COLUMBIA                      } SS

Paula J. Barry being duly sworn according to law deposes and says that Press Enterprise is a newspaper of general circulation with its principal office and place of business at 3185 Lackawanna Avenue, Bloomsburg, County of Columbia and State of Pennsylvania, and was established on the 1st day of March, 1902, and has been published daily, continuously in said Town, County and State since that day and on the attached notice September 23 and October 1, 7, 2009 as printed and published; that the affiant is one of the officers or publisher or designated agent of the owner or publisher of said newspaper in which legal advertisement was published; that neither the affiant nor Press Enterprise is interested in the subject matter of said notice and advertisement and that all of the allegations in the foregoing statement as to time, place, and character of publication are true.

Sworn and subscribed to before me this 7<sup>th</sup> day of October, 2009.

(Notary Public)  
COMMONWEALTH OF PENNSYLVANIA  
My commission expires Notarial Seal  
Dennis L. Ashenfelter, Notary Public  
Scott Twp., Columbia County  
My Commission Expires July 3, 2011  
Member, Pennsylvania Association of Notaries

And now,....., 20....., I hereby certify that the advertising and publication charges amounting to \$.....for publishing the foregoing notice, and the fee for this affidavit have been paid in full.

Phelan Hallinan & Schmieg, LLP  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
215-563-7000  
Fax 215-568-7616

Marc P. Cornish  
Legal Assistant, 1281

Representing Lenders in  
Pennsylvania and New Jersey

9/16/09

Office of the Prothonotary  
Columbia County Courthouse  
P.O. Box 380  
Bloomsburg, PA 17815

No. 2007-CV-631

Re: COUNTRYWIDE HOME LOANS, INC. VS. JOSE R. POSADA, and PETRONILA POSADA  
No. 2007-CV-631

**AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129.1**

Dear Sir/Madam:

Enclosed please find an Affidavit of Service Pursuant to Rule 3129.1 with the necessary attachments regarding the above matter.

Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me.

\*\*\*Please be advised that in the event the Plaintiff is not represented at the sale the sale is to be stayed or postponed.\*\*\*

\*\*Property is listed for the 10/14/2009 Sheriff Sale.\*\*

**IMPORTANT NOTICE:** This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

Very truly yours,

Phelan Hallinan & Schmieg, LLP

By:

Marc P. Cornish, Legal Assistant

cc: Sheriff of COLUMBIA County

IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY, PENNSYLVANIA

COUNTRYWIDE HOME LOANS, INC.  
Plaintiff,

v.

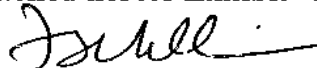
JOSE R. POSADA  
PETRONILA POSADA  
Defendant(s)

: COLUMBIA COUNTY  
:  
:  
: COURT OF COMMON PLEAS  
:  
:  
: CIVIL DIVISION  
:  
: No. 2007-CV-631  
:

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129.1

COMMONWEALTH OF PENNSYLVANIA )  
COLUMBIA COUNTY ) SS:

As required by Pa. R.C.P. 3129.1(a) Notice of Sale has been given to Lienholders and any known interested party in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address, set forth on the Affidavit and as amended if applicable. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached hereto Exhibit "A".



- ☐ Lawrence T. Phelan, Esq., Id. No. 32227
- ☒ Francis S. Hallinan, Esq., Id. No. 62695
- ☐ Daniel G. Schmieg, Esq., Id. No. 62205
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- ☐ Sheetal R. Shah-Jani, Esq., Id. No. 81760
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- ☐ Vivek Srivastava, Esq., Id. No. 202331
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- ☐ Courtenay R. Dunn, Esq., Id. No. 206779
- ☐ Andrew C. Bramblett, Esq., Id. No. 208375

Attorney for Plaintiff

Date: 9-16-2007

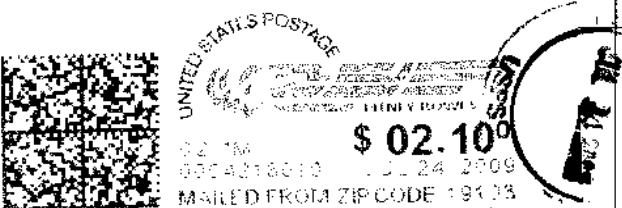
**IMPORTANT NOTICE:** This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

Name and Address of Sender

PHILAN IALLINAN & SCHMIEG LLC  
ONE PENN CENTER, PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103-1814

SUPPORT TEAM

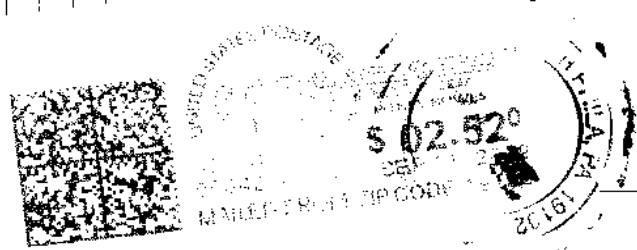
5

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	*****	TENANT/OCCUPANT 1106 FIRST AVENUE BERWICK, PA 18603		
2	****	DOMESTIC RELATIONS OF COLUMBIA COUNTY COLUMBIA COUNTY COURTHOUSE P.O. BOX 380 BLOOMSBURG, PA 17815		
3		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE P.O. BOX 2675 HARRISBURG, PA 17105		
4		BERWICK AREA JOINT SEWER AUTHORITY C/O ANTHONY J. McDONALD DICKSON, GORDNER, McDonald & HESS 208 EAST 2 <sup>ND</sup> STREET ERWICK, PA 18603		
5		BERWICK AREA JOINT SEWER AUTHORITY 36 LOWER WOODCREST ROAD BERWICK, PA 18603		
6				
7				
8				
9				
10				
11				
12				
13				
14				
15		RE:JOSE R. POSADA      PHS #149994.      TEAM 3/JVS		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	

Name and Address of Sender  
PHILAN HALLINAN & SCHMIEG LLC  
ONE PENN CENTER, PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103-1814

SUPPORT TEAM

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	*****	DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE OF AMERIQUEST MORTGAGE SECURITIES, INC., ASSET BACKED PASS-THROUGH CERTIFICATES, QUEST TRUST SERIES 2005-X1 505 CITY PARKWAY WEST, SUITE 100 ORANGE, CA 92868		
2	****	DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE C/O GOLDBECK, McCAFFERTY & McKEEVER MELLON INDEPENDENCE CENTER 701 MARKET STREET, SUITE 500 PHILADELPHIA, PA 19106		
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15		RE:JOSE R. POSADA PHS #149994. TEAM 5/MPC		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	



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) 784-6300

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

COUNTRYWIDE HOME LOANS, INC.

VS.

JOSE & PETRONILA POSADA

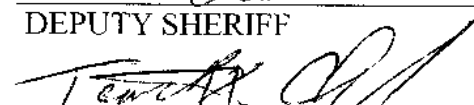
WRIT OF EXECUTION #138 OF 2009 ED

POSTING OF PROPERTY

September 10, 2009      POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE  
PROPERTY OF JOSE & PETRONILA POSADA AT 1106 FIRST AVENUE BERWICK  
COLUMBIA COUNTY PENNSYLVANIA. SAID POSTING PERFORMED BY  
COLUMBIA COUNTY DEPUTY SHERIFF PAUL D'ANGELO.

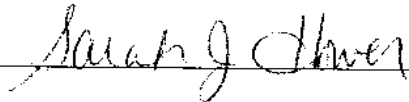
SO ANSWERS:

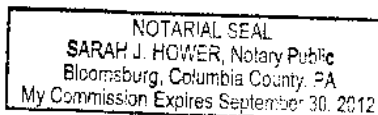
  
DEPUTY SHERIFF

  
TIMOTHY T. CHAMBERLAIN  
SHERIFF

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 10<sup>TH</sup> DAY OF SEPTEMBER 2009







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) 784-6300

SHERIFF'S RETURN OF NO SERVICE

COUNTRYWIDE HOME LOANS, INC.

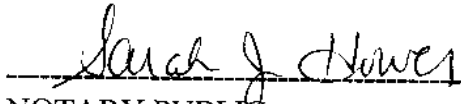
138ED2009

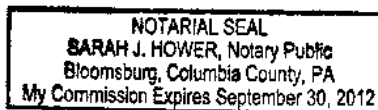
VS.

JOSE R. POSADA  
PETRONILA POSADA

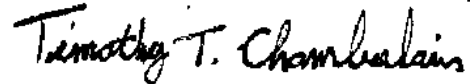
THE AFOREMENTIONED WRIT IS BEING RETURNED NOT SERVED, AS OF  
THIS 7/23/2009 FOR THE FOLLOWING REASONS:  
MOVED LEFT NO FORWARDING

SWORN AND SUBSCRIBED BEFORE ME  
THIS Thursday, July 23, 2009

  
\_\_\_\_\_  
NOTARY PUBLIC

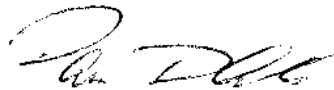


SO ANSWERS :



\_\_\_\_\_  
TIMOTHY T. CHAMBERLAIN  
SHERIFF

BY:



\_\_\_\_\_  
P. D'ANGELO  
DEPUTY SHERIFF

PHELAN HALLINAN AND SCHMIEG  
1617 JOHN F KENNEDY BLVD ONN PENN CENTER  
Suite 140  
PHILADELPHIA, PA 19103

138

IN THE COURT OF COMMON PLEAS  
COLUMBIA COUNTY, PENNSYLVANIA

BAC HOME LOANS SERVICING, INC

vs.

JOSE R. POSADA  
PETRONILA POSADA

Defendants

Court of Common Pleas

Civil Division

COLUMBIA County

No. 2007-CV-631

ORDER

AND NOW, this 26<sup>th</sup> day of Aug, 2009 the Prothonotary is ORDERED to amend the in rem judgment and the Sheriff is ORDERED to amend the writ nunc pro tunc in this case as follows:

Principal Balance	\$31,453.44
Interest Through October 14, 2009	\$6,206.14
Per Diem \$5.60	
Late Charges	\$30.63
Legal fees	\$1,800.00
Cost of Suit and Title	\$953.42
Sheriff's Sale Costs	\$1,300.00
Property Inspections/ Property Preservation	\$4,345.00
Appraisal/Brokers Price Opinion	\$0.00
Mortgage Insurance Premium/	\$593.37
Private Mortgage Insurance	
Non Sufficient Funds Charge	\$0.00
Suspense/Misc. Credits	(\$0.24)
Escrow Deficit	\$4,069.23
<b>TOTAL</b>	<b>\$50,750.99</b>

Plus interest from October 14, 2009 through the date of sale at six percent per annum.

Note: The above figure is not a payoff quote. Sheriff's commission is not included in the above figure.

BY THE COURT

131 Scott W. Naus  
J.

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 7/13/2009

SERVICE# 5 - OF - 16 SERVICES  
DOCKET # 138ED2009

PLAINTIFF COUNTRYWIDE HOME LOANS, INC.

DEFENDANT JOSE R. POSADA  
PETRONILA POSADA

ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

<b>PERSON/CORP TO SERVED</b>	<b>PAPERS TO SERVED</b>
TENANT(S)	MORTGAGE FORECLOSURE
1106 FIRST AVE.	
BERWICK	

SERVED UPON VACANT / POSTED

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

DATE 07.29.09 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

07.29.09

✓ P.O.

# COLUMBIA COUNTY SHERIFF'S OFFICE PROCESS SERVICE ORDER

*Entered with  
Post Office  
is Forwarded  
Address*

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 7/13/2009

SERVICE# 1 - OF - 16 SERVICES  
DOCKET # 138ED2009

PLAINTIFF COUNTRYWIDE HOME LOANS, INC.

DEFENDANT JOSE R. POSADA  
PETRONILA POSADA

ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

PERSON/CORP TO SERVED
JOSE POSADA
1106 FIRST AVE.
BERWICK

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON \_\_\_\_\_

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

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

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

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

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

ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

7-16-09	1105	4	L.C - house vacant with padlock
7-16-09	1033	11	Car on street

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

**WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)**  
**P.R.C.P. 3180-3183 and Rule 3257**

COUNTRYWIDE HOME LOANS,  
INC.

vs.

JOSE R. POSADA

PETRONILA POSADA

IN THE COURT OF COMMON PLEAS OF  
COLUMBIA COUNTY, PENNSYLVANIA

No. 2007-CV-631

*2009-ED-138*  
WRIT OF EXECUTION  
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of 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 following property  
(specifically described property below):

PREMISES: 1106 FIRST AVENUE, BERWICK, PA 18603  
(See Legal Description attached)

Amount Due	<u>\$41,619.19</u>
Additional Fees and Costs	\$
Interest from 6/26/09 to Sale	\$_____ and costs.
at \$6.84per diem	

Tammy B Kline / KPB  
(Clerk) Office of the Prothy Support, Common Pleas Court  
of Columbia County, Penna.

Dated 7-13-09  
(SEAL)

PHS#149994

No. 2007-CV-631

IN THE COURT OF COMMON PLEAS OF  
COLUMBIA COUNTY, PENNSYLVANIA

COUNTRYWIDE HOME LOANS, INC.

vs.

JOSE R. POSADA  
PETRONILA POSADA

WRIT OF EXECUTION  
(Mortgage Foreclosure)


Costs

Office of Judicial Support

Judg. Fee

Cr.

Sat.

  
Daniel G. Schmieg, Esquire  
Jay B. Jones, Esquire  
Andrew L. Spivack, Esquire  
Jenine R. Davey, Esquire  
Attorney for Plaintiff(s)

Address: JOSE R. POSADA: 1106 FIRST AVENUE, BERWICK, PA 18603  
PETRONILA POSADA: 1106 FIRST AVENUE, BERWICK, PA 18603

Complainant \$90.00 pd  
Judgment \$14.00 pd  
Cr. \$23.00 pd  
Cr. \$23.00 pd  
Satisfy \$ 7.00

**Phelan Hallinan & Schmieg, LLP**

By: Daniel G. Schmieg, Esquire

Identification No. 62205

Jay B. Jones, Esquire

Identification No. 86657

Andrew L. Spivack

Identification No. 84439

Jenine R. Davey

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Suite 1400

Philadelphia, PA 19103-1814

Attorney for Plaintiff

(215)563-7000

**Attorney for Plaintiff**

**COUNTRYWIDE HOME LOANS, INC.**

**Plaintiff,**

**v.**

**JOSE R. POSADA**

**PETRONILA POSADA**

**Defendant(s).**

**COLUMBIA COUNTY**

**COURT OF COMMON PLEAS**

**CIVIL DIVISION**

**NO. 2007-CV-631**

*2009-ED-138*

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

**TO: JOSE R. POSADA  
1106 FIRST AVENUE  
BERWICK, PA 18603**

**PETRONILA POSADA  
1106 FIRST AVENUE  
BERWICK, PA 18603**

Please be advised that this firm is a debt collector attempting to collect a debt. Any information received will be used for that purpose. If you have previously received a discharge in bankruptcy and this debt was not reaffirmed, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property..

Your house (real estate) at **1106 FIRST AVENUE, BERWICK, PA 18603** is scheduled to be sold at Sheriff's Sale on October 14, 2009, at 9:00 a.m., in the Office of the Sheriff at the Columbia County Courthouse, Bloomsburg, PA 17815, to enforce the Court Judgment of **\$41,619.19** obtained by **COUNTRYWIDE HOME LOANS, INC.**, (the Mortgagee) against you. In the event the sale is continued, an announcement will be made at said sale in compliance with Pa.R.C.P., Rule 3129.3.

**NOTICE OF OWNER'S RIGHTS**

**YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE**

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

1. The Sale will be cancelled if you pay to the Mortgagee, **COUNTRYWIDE HOME LOANS, INC.**, the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call (215) 563-7000.

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 better chance you will have of stopping the Sale. (See the Notice below on how to obtain an attorney.)

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

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling (215) 563-7000.
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 (215) 563-7000.
4. If the amount due from the Buyer is not paid to the Sheriff, you will remain the owner of the property as if the Sale never happened.
5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a Deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You may be entitled to a share of the money which was paid for your real estate. A Schedule of Distribution of the money bid for real estate will be filed by the Sheriff. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reason why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the Schedule of Distribution is filed.
7. You may also have other rights and defenses or ways of getting your home back if you act immediately after the Sale.

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

**COLUMBIA COUNTY  
SUSQUEHANNA LEGAL SERVICES  
168 EAST 5<sup>TH</sup> STREET  
BLOOMSBURG, PA 17815  
(570) 784-8760**



## DESCRIPTION

ALL that certain piece, parcel, or plot of land lying and being situate on the South side of First Avenue, in the Borough of Berwick, County of Columbia, State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the Southerly side of First Avenue, which point is located at the center of Lot 516 of Berwick Land Improvement Company's addition to the Borough of Berwick;

THENCE in an easterly direction along the southerly side of First Avenue, a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being the easterly portion of lot 516 and the next twenty-two and one-half (22-1/2) feet being the westerly one-half of Lot 515, to a point on which is located in the center of a double house, the eastern portion of which is now owned by Frank Capobianco and Rose Capobianco, his wife;

THENCE through the center of said double house, one hundred sixty (160) feet to the Northerly side of a fifteen (15) foot alley;

THENCE westerly along the northerly side of said alley a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being along the westerly portion of Lot 515 and the next twenty-two and one-half (22-1/2) feet being along the easterly half portion of Lot 516, to a point being located in the easterly boundary of lands now owned by Joseph DeFebo;

THENCE northerly through the center line of Lot 516, a distance of one hundred sixty (160) feet to the southerly side of First Avenue, the place of the beginning.

Vested by Deed, dated 06/17/2004, given by Angela Colone, widow to Jose R. Posada and Petronila Posada, his wife and recorded 6/28/2004 Instrument # 200407228  
Real Property Owner: Jose R. Posada and Petronila Posada

Premises being: 1106 FIRST AVENUE, BERWICK, PA 18603  
Tax Parcel #04C-02-200

**Driver Detail**

PA Department of Transportation

**Driver Demographics**

Source: PennDOT IMS

<b>POSADA, JOSE R</b> Driver Name	<b>25 103 162</b> Driver License Number	<b>04/03/1967</b> Date of Birth
<b>M</b> Gender	<b>66</b> Height (inches)	<b>(BR) BROWN</b> Eye Color
<b>120 SOUTH LEE CT</b> <b>HAZLETON, PA 18202</b> Driver Address		<b>Driver History</b>

**Driver License**

Source: PennDOT IMS

<b>04/04/2007</b> Issue Date	<b>04/04/2011</b> Expiration Date	<b>00</b> Duplicate Count	<b>(C) SINGLE VEH &lt;= 26,000.</b> License Class
<b>Endorsements</b>	<b>Restrictions</b>	<b>Commercial Restrictions</b>	

**Photo History**

Source: Viisage Corporation Photo Repository

**Photo Record (1 of 5)****Photo Capture Station Information**

<b>04/04/2007 13:23:44</b> Photo Date	<b>(074) HAZLETON</b> Location
--	-----------------------------------

<b>JJFERRY</b> Operator ID	<b>01</b> Station ID	<b>200707401@094039</b> Viisage Control ID
-------------------------------	-------------------------	---

**Driver Information**

<b>25 103 162</b> Driver License Number	<b>04/03/1967</b> Date of Birth
--	------------------------------------

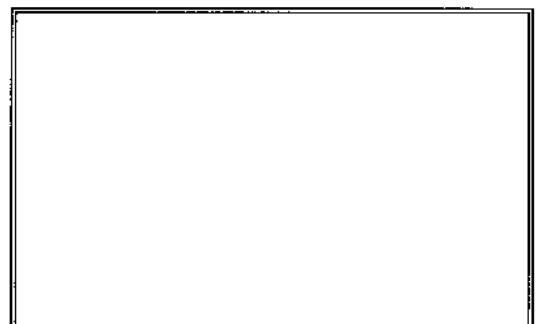
**COLUMBIA**  
County

<b>DRIVER'S LICENSE</b> License Card Type	<b>NO</b> Organ Donor
--	--------------------------

**Photo Record (2 of 5)****Photo Capture Station Information**

<b>11/06/2003 08:42:55</b> Photo Date	<b>(111) CENTRAL DUPLICAT</b> Location
--	---

<b>CP_VISG</b> Operator ID	<b>01</b> Station ID	<b>200311101@310125</b> Viisage Control ID
-------------------------------	-------------------------	---



*Driver Information***25 103 162**

Driver License Number

**04/03/1967**

Date of Birth

**COLUMBIA**

County

**DRIVER'S LICENSE**

License Card Type

**NO**

Organ Donor

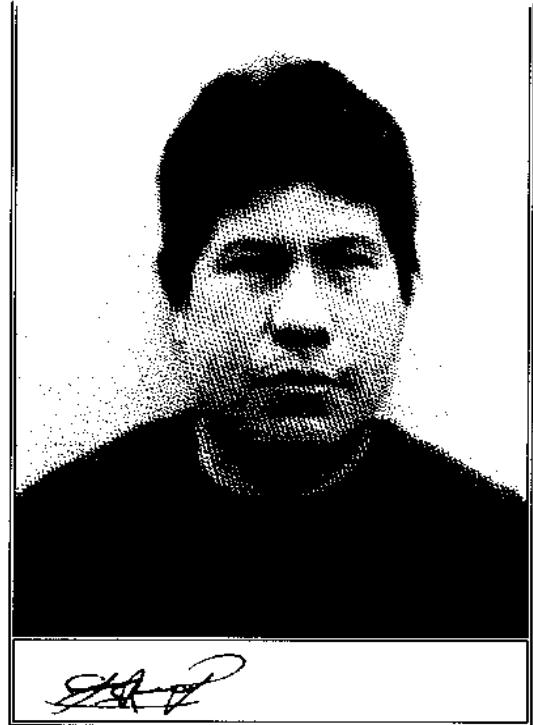
*Photo Record (3 of 5)**Photo Capture Station Information***04/25/2003 14:20:34**

Photo Date

**(074) HAZLETON**

Location

**JJFERRY**

Operator ID

**01**

Station ID

**200307401@115034**

Viisage Control ID

*Driver Information***25 103 162**

Driver License Number

**04/03/1967**

Date of Birth

**COLUMBIA**

County

**DRIVER'S LICENSE**

License Card Type

**NO**

Organ Donor

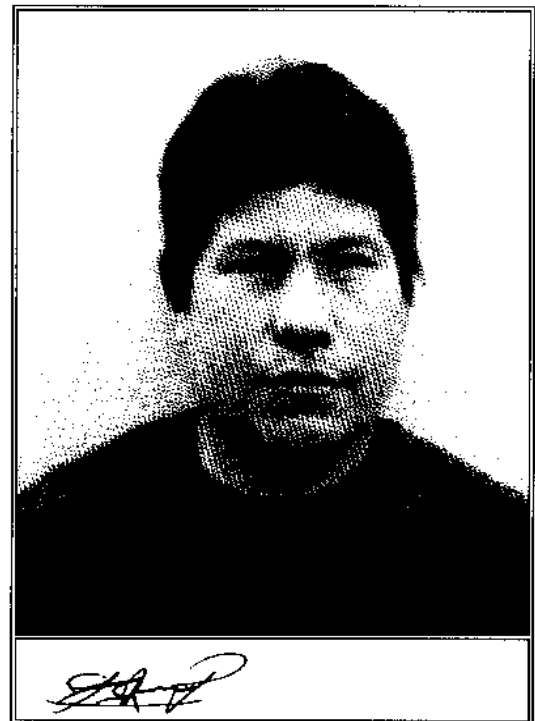
*Photo Record (4 of 5)**Photo Capture Station Information***05/01/1999 01:00:00**

Photo Date

**(019) BERWICK**

Location



**1910**

Operator ID

**10**

Station IDViisage Control ID

**199901910@121005***Driver Information***25 103 162**

Driver License Number

**04/03/1967**

Date of Birth

**COLUMBIA**

County

**DRIVER'S LICENSE**

License Card Type

**NO**

Organ Donor

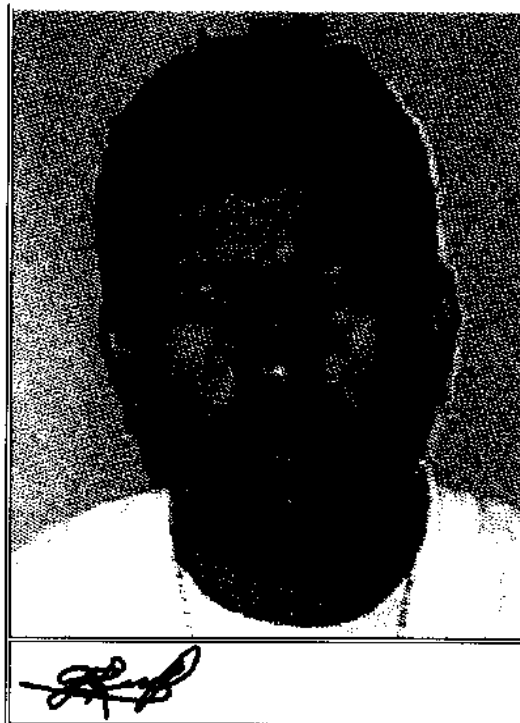
*Photo Record (5 of 5)**Photo Capture Station Information***03/09/1996 12:00:00**

Photo Date

**(019) BERWICK**

Location

**1903**

Operator ID

**20**

Station IDViisage Control ID

**199601920@069034***Driver Information***25 103 162**

Driver License Number

**04/03/1967**

Date of Birth

**COLUMBIA**

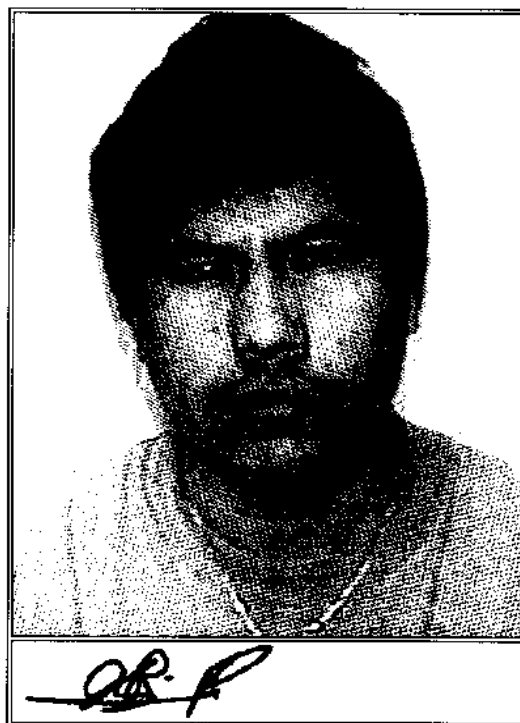
County

**DRIVER'S LICENSE**

License Card Type

**NO**

Organ Donor



Content Provided by: PennDOT  
Webmaster: TBD



Update Schedule: As needed  
Last Modified Date: TBD

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# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 7/13/2009

SERVICE# 2 - OF - 16 SERVICES  
DOCKET # 138ED2009

PLAINTIFF COUNTRYWIDE HOME LOANS, INC.

DEFENDANT JOSE R. POSADA  
PETRONILA POSADA

ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

PERSON/CORP TO SERVED	PAPERS TO SERVED
PETRONILA POSADA	MORTGAGE FORECLOSURE
1106 FIRST AVE.	
BERWICK	

SERVED UPON \_\_\_\_\_

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

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

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

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

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

### ATTEMPTS

DATE	TIME	OFFICER	REMARKS
7-16-09	1105	4	L.C - house vacant

DEPUTY

*[Signature]*

DATE 07.23.09

P.D. NO FWDG - BERWICK P.D. HAS OLD ADDRESS  
J-NET HAZLETON ADDRESS ?

1525 3rd Ave. ? : NG

**WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180-3183 and Rule 3257**

COUNTRYWIDE HOME LOANS,  
INC.

vs.

JOSE R. POSADA

PETRONILA POSADA

IN THE COURT OF COMMON PLEAS OF  
COLUMBIA COUNTY, PENNSYLVANIA

No. 2007-CV-631

*2009-ED-138*  
WRIT OF EXECUTION  
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of 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 following property  
(specifically described property below):

PREMISES: 1106 FIRST AVENUE, BERWICK, PA 18603  
(See Legal Description attached)

Amount Due

\$41,619.19

Additional Fees and Costs

\$

Interest from 6/26/09 to Sale  
at \$6.84per diem

\$.....and costs.

Dated 7-13-09  
(SEAL)

*Tami B Kline / KPB*  
(Clerk) Office of the Prothy Support, Common Pleas Court  
of Columbia County, Penna.

PHS#149994

**Phelan Hallinan & Schmieg, LLP**

By: Daniel G. Schmieg, Esquire

Identification No. 62205

Jay B. Jones, Esquire

Identification No. 86657

Andrew L. Spivack

Identification No. 84439

Jenine R. Davey

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Suite 1400

Philadelphia, PA 19103-1814

Attorney for Plaintiff

(215)563-7000

**Attorney for Plaintiff**

**COUNTRYWIDE HOME LOANS, INC.**

**Plaintiff,**

**v.**

**JOSE R. POSADA**

**PETRONILA POSADA**

**Defendant(s).**

**COLUMBIA COUNTY**

**COURT OF COMMON PLEAS**

**CIVIL DIVISION**

**NO. 2007-CV-631**

*2009-ED-138*

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

**TO: JOSE R. POSADA  
1106 FIRST AVENUE  
BERWICK, PA 18603**

**PETRONILA POSADA  
1106 FIRST AVENUE  
BERWICK, PA 18603**

Please be advised that this firm is a debt collector attempting to collect a debt. Any information received will be used for that purpose. If you have previously received a discharge in bankruptcy and this debt was not reaffirmed, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property..

Your house (real estate) at **1106 FIRST AVENUE, BERWICK, PA 18603** is scheduled to be sold at Sheriff's Sale on October 14, 2009, at 9:00 a.m., in the Office of the Sheriff at the Columbia County Courthouse, Bloomsburg, PA 17815, to enforce the Court Judgment of **\$41,619.19** obtained by **COUNTRYWIDE HOME LOANS, INC.**, (the Mortgagee) against you. In the event the sale is continued, an announcement will be made at said sale in compliance with Pa.R.C.P., Rule 3129.3.

**NOTICE OF OWNER'S RIGHTS**

**YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE**

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

1. The Sale will be cancelled if you pay to the Mortgagee, **COUNTRYWIDE HOME LOANS, INC.**, the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call (215) 563-7000.
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 better chance you will have of stopping the Sale. (See the Notice below on how to obtain an attorney.)

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

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling (215) 563-7000.

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 (215) 563-7000.

4. If the amount due from the Buyer is not paid to the Sheriff, you will remain the owner of the property as if the Sale never happened.

5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a Deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.

6. You may be entitled to a share of the money which was paid for your real estate. A Schedule of Distribution of the money bid for real estate will be filed by the Sheriff. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reason why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the Schedule of Distribution is filed.

7. You may also have other rights and defenses or ways of getting your home back if you act immediately after the Sale.

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

**COLUMBIA COUNTY  
SUSQUEHANNA LEGAL SERVICES  
168 EAST 5<sup>TH</sup> STREET  
BLOOMSBURG, PA 17815  
(570) 784-8760**

## DESCRIPTION

ALL that certain piece, parcel, or plot of land lying and being situate on the South side of First Avenue, in the Borough of Berwick, County of Columbia, State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the Southerly side of First Avenue, which point is located at the center of Lot 516 of Berwick Land Improvement Company's addition to the Borough of Berwick;

THENCE in an easterly direction along the southerly side of First Avenue, a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being the easterly portion of lot 516 and the next twenty-two and one-half (22-1/2) feet being the westerly one-half of Lot 515, to a point on which is located in the center of a double house, the eastern portion of which is now owned by Frank Capobianco and Rose Capobianco, his wife;

THENCE through the center of said double house, one hundred sixty (160) feet to the Northerly side of a fifteen (15) foot alley;

THENCE westerly along the northerly side of said alley a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being along the westerly portion of Lot 515 and the next twenty-two and one-half (22-1/2) feet being along the easterly half portion of Lot 516, to a point being located in the easterly boundary of lands now owned by Joseph DeFebo;

THENCE northerly through the center line of Lot 516, a distance of one hundred sixty (160) feet to the southerly side of First Avenue, the place of the beginning.

Vested by Deed, dated 06/17/2004, given by Angela Colone, widow to Jose R. Posada and Petronila Posada, his wife and recorded 6/28/2004 Instrument # 200407228  
Real Property Owner: Jose R. Posada and Petronila Posada

Premises being: 1106 FIRST AVENUE, BERWICK, PA 18603  
Tax Parcel #04C-02-200

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 7/13/2009

SERVICE# 7 - OF - 16 SERVICES  
DOCKET # 138ED2009

PLAINTIFF COUNTRYWIDE HOME LOANS, INC.

DEFENDANT JOSE R. POSADA  
PETRONILA POSADA

ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

PERSON/CORP TO SERVED
CONNIE GINGHER-TAX COLLECTOR
1615 LINCOLN AVE.
BERWICK

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON Connie

RELATIONSHIP tax collector IDENTIFICATION \_\_\_\_\_

DATE 7-16-09 TIME 1016 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

J. Allison

DATE 7-16-09

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 7/13/2009

SERVICE# 8 - OF - 16 SERVICES  
DOCKET # 138ED2009

PLAINTIFF COUNTRYWIDE HOME LOANS, INC.

DEFENDANT JOSE R. POSADA  
PETRONILA POSADA

ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

**PERSON/CORP TO SERVED**

BERWICK SEWER C/O ATTY MCDONALD

208 E 2ND STREET

BERWICK

**PAPERS TO SERVED**

MORTGAGE FORECLOSURE

SERVED UPON Sherry Fraiend

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

DATE 7-16-09 TIME 1047 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

- moved to Attorney Bull's office

☒ F. OTHER (SPECIFY) 106 Market St.

Berwick, PA

**ATTEMPTS**

DATE

TIME

OFFICER

REMARKS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEPUTY

J. Allison

DATE

7-16-09



July 15, 2009

Timothy T. Chamberlain  
Sheriff of Columbia County  
Court House- P.O. Box 380  
Bloomsburg, PA 17815

**COUNTRYWIDE HOME LOANS, INC.**

**VS.**

**JOSE R. POSADA  
PETRONILA POSADA**

**DOCKET # 138ED2009**

**JD # 631JD2007**

Dear Timothy:

The amount due on the sewer account #129542 for the property located at 1106 First Avenue Berwick, Pa through December 31, 2009 is \$2,628.17. This amount would clear the lien that is currently in place on this property as well.

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

Sincerely,

Kristy Romig  
Authority Clerk

*Hearing Impaired 711*

*"BAJSA is an Equal Opportunity Provider and Employer"*

*Hearing Impaired 711*

*"BAJSA is an Equal Opportunity Provider and Provider"*

**1108 Freas Avenue • Berwick, Pennsylvania 18603**

**Phone: (570) 752-8477 • Fax: (570) 752-8479**

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 7/13/2009

SERVICE# 9 - OF - 16 SERVICES  
DOCKET # 138ED2009

PLAINTIFF COUNTRYWIDE HOME LOANS, INC.

DEFENDANT JOSE R. POSADA  
PETRONILA POSADA

ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

PERSON/CORP TO SERVED	PAPERS TO SERVED
BERWICK SEWER	MORTGAGE FORECLOSURE
1108 FREAS AVE.	
BERWICK	

SERVED UPON Kristy Remig

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

DATE 7-14-09 TIME 1:545 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

Scott Frank

DATE

7-14-09

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 7/13/2009

SERVICE# 10 - OF - 16 SERVICES  
DOCKET # 138ED2009

PLAINTIFF COUNTRYWIDE HOME LOANS, INC.

DEFENDANT JOSE R. POSADA  
PETRONILA POSADA

ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

<b>PERSON/CORP TO SERVED</b>	<b>PAPERS TO SERVED</b>
DOMESTIC RELATIONS	MORTGAGE FORECLOSURE
15 PERRY AVE.	
BLOOMSBURG	

SERVED UPON MAUREEN Cole

RELATIONSHIP Cousin Sister IDENTIFICATION \_\_\_\_\_

DATE 7-14-9 TIME 1500 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

J. G. [Signature]

DATE 7-14-9

COUNTY OF COLUMBIA  
REAL ESTATE TAX CERTIFICATION

Date: 07/14/2009

Fee: \$5.00

Cert. NO: 6374

POSADA JOSE R & PETRONILA  
1106 FIRST AVENUE  
BERWICK PA 18603

District: BERWICK BORO  
Deed: 20040 -7228  
Location: 1106 FIRST AVE  
Parcel Id: 04C-02 -200-00,000

Assessment: 14,789  
Balances as of 07/14/2009

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

By: Timothy T. Chamberlain, Sheriff

Per: dm.



# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 7/13/2009

SERVICE# 13 - OF - 16 SERVICES  
DOCKET # 138ED2009

PLAINTIFF COUNTRYWIDE HOME LOANS, INC.

DEFENDANT JOSE R. POSADA  
PETRONILA POSADA

ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

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

**PAPERS TO SERVED**  
MORTGAGE FORECLOSURE

SERVED UPON Deb Miller

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

DATE 7-14-9 TIME 1430 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

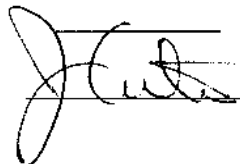
TIME

OFFICER

REMARKS

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

DEPUTY



DATE 7-14-9

# REAL ESTATE OUTLINE

ED # 138-09

DATE RECEIVED 7-13-09

DOCKET AND INDEX 7-14-09

## 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 \_\_\_\_\_

☒  
☒  
☒  
☒  
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☒  
☒  
☒

CK# 825104

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

SALE DATE

Oct. 14, 09 TIME 0900

POSTING DATE

Sept. 10, 09

ADV. DATES FOR NEWSPAPER

1<sup>ST</sup> WEEK Sept. 23

2<sup>ND</sup> WEEK 30

3<sup>RD</sup> WEEK Oct. 7, 09

# SHERIFF'S SALE

WEDNESDAY OCTOBER 14, 2009 AT 9:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 138 OF 2009 ED AND CIVIL WRIT NO. 631 OF 2007 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

ALL that certain piece, parcel, or plot of land lying and being situate on the South side of First Avenue, in the Borough of Berwick, County of Columbia, State of Pennsylvania, bounded and described as follows, to wit:  
BEGINNING at a point on the Southerly side of First Avenue, which point is located at the center of Lot 516 of Berwick Land Improvement Company's addition to the Borough of Berwick;

THENCE in an easterly direction along the southerly side of First Avenue, a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being the easterly portion of lot 516 and the next twenty-two and one-half (22-1/2) feet being the westerly one-half of Lot 515, to a point on which is located in the center of a double house, the eastern portion of which is now owned by Frank Capobianco and Rose Capobianco, his wife;

THENCE through the center of said double house, one hundred sixty (160) feet to the Northerly side of a fifteen (15) foot alley;

THENCE westerly along the northerly side of said alley a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being along the westerly portion of Lot 515 and the next twenty-two and one-half (22-1/2) feet being along the easterly half portion of Lot 516, to a point being located in the easterly boundary of lands now owned by Joseph DeFebo;

THENCE northerly through the center line of Lot 516, a distance of one hundred sixty (160) feet to the southerly side of First Avenue, the place of the beginning.

Vested by Deed, dated 06/17/2004, given by Angela Colone, widow to Jose R. Posada and Petronila Posada, his wife and recorded 6/28/2004 Instrument # 200407228

Real Property Owner: Jose R. Posada and Petronila Posada

Premises being: 1106 FIRST AVENUE, BERWICK, PA 18603

Tax Parcel #04C-02-200

## TERMS OF SALE

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

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

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

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

Plaintiff's Attorney  
Daniel Schmieg  
1617 JFK Blvd  
Philadelphia, PA 19106

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

# SHERIFF'S SALE

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Plaintiff's Attorney  
Daniel Schmieg  
1617 JFK Blvd  
Philadelphia, PA 19106

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

# SHERIFF'S SALE

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

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

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

Plaintiff's Attorney  
Daniel Schmieg  
1617 JFK Blvd  
Philadelphia, PA 19106

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

**WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)**  
**P.R.C.P. 3180-3183 and Rule 3257**

COUNTRYWIDE HOME LOANS,  
INC.

vs.

JOSE R. POSADA

PETRONILA POSADA

IN THE COURT OF COMMON PLEAS OF  
COLUMBIA COUNTY, PENNSYLVANIA

No. 2007-CV-631

WRIT OF EXECUTION  
(Mortgage Foreclosure)

*2009-ED-138*

Commonwealth of Pennsylvania:

County of 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 following property  
(specifically described property below):

PREMISES: 1106 FIRST AVENUE, BERWICK, PA 18603  
(See Legal Description attached)

Amount Due

Additional Fees and Costs

Interest from 6/26/09 to Sale  
at \$6.84per diem

\$41,619.19

\$

\$ and costs.

*Tami B Kline* / *KPB*  
(Clerk) Office of the Prothy Support, Common Pleas Court  
of Columbia County, Penna.

Dated 7-13-09  
(SEAL)

PHS#149994

Phelan Hallinan & Schmieg, LLP  
By: Daniel G. Schmieg, Esquire  
Identification No. 62205  
Jay B. Jones, Esquire  
Identification No. 86657  
Andrew L. Spivack  
Identification No. 84439  
Jenine R. Davey  
Identification No. 87077  
One Penn Center Plaza  
1617 JFK Boulevard, Ste.1400  
Philadelphia, PA 19103  
(215) 320-0007

Attorney for Plaintiff

COUNTRYWIDE HOME LOANS, INC.

vs.

JOSE R. POSADA  
PETRONILA POSADA

: **COLUMBIA COUNTY**  
:  
: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO. 2007-CV-631**

: *2009-ED-138*

### VERIFICATION OF NON-MILITARY SERVICE

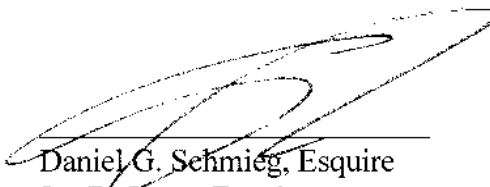
The undersigned attorney hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant JOSE R. POSADA is over 18 years of age and resides at **1106 FIRST AVENUE, BERWICK, PA 18603.**

(c) that defendant PETRONILA POSADA is over 18 years of age, and resides at **1106 FIRST AVENUE, BERWICK, PA 18603.**

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.



Daniel G. Schmieg, Esquire  
Jay B. Jones, Esquire  
Andrew L. Spivack, Esquire  
Jenine R. Davey, Esquire

Phelan Hallinan & Schmieg, LLP  
By: Daniel G. Schmieg, Esquire  
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One Penn Center Plaza  
1617 JFK Boulevard, Ste.1400  
Philadelphia, PA 19103  
(215) 320-0007

Attorney for Plaintiff

COUNTRYWIDE HOME LOANS, INC.

vs.

JOSE R. POSADA  
PETRONILA POSADA

: COLUMBIA COUNTY  
:  
: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 2007-CV-631  
: 2009-ED-148

### VERIFICATION OF NON-MILITARY SERVICE

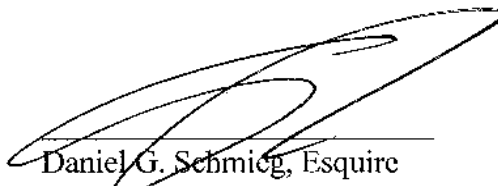
The undersigned attorney hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

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Daniel G. Schmieg, Esquire  
Jay B. Jones, Esquire  
Andrew L. Spivack, Esquire  
Jenine R. Davey, Esquire



Phelan Hallinan & Schmieg, LLP  
By: Daniel G. Schmieg, Esquire  
Identification No. 62205  
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Jenine R. Davey  
Identification No. 87077  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
Attorney for Plaintiff  
(215)563-7000

Attorney for Plaintiff

**COUNTRYWIDE HOME LOANS, INC.**

**Plaintiff,**

**v.**

**JOSE R. POSADA**

**PETRONILA POSADA**

**Defendant(s).**

: **COLUMBIA COUNTY**  
:  
: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO. 2007-CV-631**  
: *2009-ED-148*  
: *138*  
:  
:  
:  
:  
:

**AFFIDAVIT PURSUANT TO RULE 3129**

**COUNTRYWIDE HOME LOANS, INC.**, Plaintiff in the above action, by its attorney, the undersigned attorney, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **1106 FIRST AVENUE, BERWICK, PA 18603**.

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

NAME

ADDRESS (If address cannot be  
reasonably ascertained, please so indicate.)

**JOSE R. POSADA**

**1106 FIRST AVENUE  
BERWICK, PA 18603**

**PETRONILA POSADA**

**1106 FIRST AVENUE  
BERWICK, PA 18603**

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

NAME

ADDRESS (If address cannot be reasonably  
ascertained, please so indicate.)

**SAME AS ABOVE**

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

NAME  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE OF AMIQUEST  
MORTGAGE SECURITIES, INC., ASSET  
BACKED PASS-THROUGH CERTIFICATES,  
QUEST TRUST SERIES 2005-X1 UNDER  
THE POOLING AND SERVICING  
AGREEMENT DATED AS OF MARCH 1,  
2005, WITHOUT RECOURSE

ADDRESS (If address cannot be reasonably  
ascertained, please so indicate.)  
505 CITY PARKWAY WEST  
SUITE 100  
ORANGE, CA 92868

DEUTSCHE BANK NATIONAL  
TRUST COMPANY AS TRUSTEE  
C/O GOLDBECK, MCCAFFERTY &  
MCKEEVER

MELLON INDEPENDENCE CENTER  
701 MARKET STREET SUITE 500  
PHILADELPHIA, PA 19106

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

NAME  
NONE

ADDRESS (If address cannot be reasonably  
ascertained, please so indicate.)

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

NAME  
BERWICK AREA JOINT SEWER AUTHORITY  
C/O ANTHONY J. McDONALD

ADDRESS (If address cannot be reasonably  
ascertained, please so indicate.)  
DICKSON, GORDNER, McDonald & HESS  
208 EAST 2<sup>ND</sup> STREET  
BERWICK, PA 18603

BERWICK AREA JOINT SEWER  
AUTHORITY

36 LOWER WOODCREST ROAD  
BERWICK, PA 18603

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  
NONE

ADDRESS (If address cannot be reasonably  
ascertained, please so indicate.)

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

NAME  
TENANT/OCCUPANT  
  
DOMESTIC RELATIONS OF  
COLUMBIA COUNTY

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF WELFARE

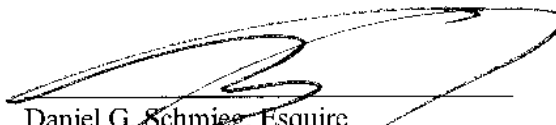
ADDRESS (If address cannot be reasonably  
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1106 FIRST AVENUE  
BERWICK, PA 18603

COLUMBIA COUNTY COURTHOUSE  
P.O. BOX 380  
BLOOMSBURG, PA 17815

P.O. BOX 2675  
HARRISBURG, PA 17105

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or 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.

July 8, 2009  
Date

  
Daniel G. Schmieg, Esquire  
Jay B. Jones, Esquire  
Andrew L. Spivack, Esquire  
Jenine R. Davey  
Attorney for Plaintiff

Phelan Hallinan & Schmieg, LLP  
By: Daniel G. Schmieg, Esquire  
Identification No. 62205  
Jay B. Jones, Esquire  
Identification No. 86657  
Andrew L. Spivack  
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Jenine R. Davey  
Identification No. 87077  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
Attorney for Plaintiff  
(215)563-7000

Attorney for Plaintiff

**COUNTRYWIDE HOME LOANS, INC.**

**Plaintiff,**

**v.**

**JOSE R. POSADA**

**PETRONILA POSADA**

**Defendant(s).**

: **COLUMBIA COUNTY**  
:  
: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO. 2007-CV-631**

*2009-ED-138*

**AFFIDAVIT PURSUANT TO RULE 3129**

**COUNTRYWIDE HOME LOANS, INC.**, Plaintiff in the above action, by its attorney, the undersigned attorney, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **1106 FIRST AVENUE, BERWICK, PA 18603**.

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NAME

ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

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**1106 FIRST AVENUE  
BERWICK, PA 18603**

**PETRONILA POSADA**

**1106 FIRST AVENUE  
BERWICK, PA 18603**

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NAME

ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

**SAME AS ABOVE**

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NAME  
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COMPANY, AS TRUSTEE OF AMIQUEST  
MORTGAGE SECURITIES, INC., ASSET  
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BERWICK AREA JOINT SEWER AUTHORITY  
C/O ANTHONY J. McDONALD

ADDRESS (If address cannot be reasonably  
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BERWICK AREA JOINT SEWER  
AUTHORITY

36 LOWER WOODCREST ROAD  
BERWICK, PA 18603

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NAME  
NONE

ADDRESS (If address cannot be reasonably  
ascertained, please so indicate.)

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

NAME  
TENANT/OCCUPANT  
  
DOMESTIC RELATIONS OF  
COLUMBIA COUNTY

ADDRESS (If address cannot be reasonably  
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1106 FIRST AVENUE  
BERWICK, PA 18603

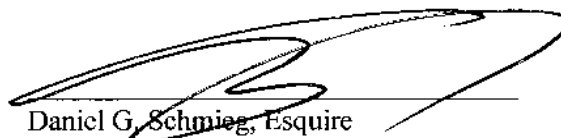
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF WELFARE

COLUMBIA COUNTY COURTHOUSE  
P.O. BOX 380  
BLOOMSBURG, PA 17815

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July 8, 2009  
Date

  
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Jay B. Jones, Esquire  
Andrew L. Spivack, Esquire  
Jenine R. Davey  
Attorney for Plaintiff

**Phelan Hallinan & Schmieg, LLP**

By: Daniel G. Schmieg, Esquire

Identification No. 62205

Jay B. Jones, Esquire

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Andrew L. Spivack

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Jenine R. Davey

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Suite 1400

Philadelphia, PA 19103-1814

Attorney for Plaintiff

(215)563-7000

**Attorney for Plaintiff**

**COUNTRYWIDE HOME LOANS, INC.**

**Plaintiff,**

**v.**

**JOSE R. POSADA**

**PETRONILA POSADA**

**Defendant(s).**

**COLUMBIA COUNTY**

**COURT OF COMMON PLEAS**

**CIVIL DIVISION**

**NO. 2007-CV-631**

*2009-ED-138*

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

**TO: JOSE R. POSADA  
1106 FIRST AVENUE  
BERWICK, PA 18603**

**PETRONILA POSADA  
1106 FIRST AVENUE  
BERWICK, PA 18603**

Please be advised that this firm is a debt collector attempting to collect a debt. Any information received will be used for that purpose. If you have previously received a discharge in bankruptcy and this debt was not reaffirmed, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property..

Your house (real estate) at **1106 FIRST AVENUE, BERWICK, PA 18603** is scheduled to be sold at Sheriff's sale on \_\_\_\_\_, at \_\_\_\_\_ a.m., in the Office of the Sheriff at the Columbia County Courthouse, Bloomsburg, PA 17815, to enforce the Court Judgment of **\$41,619.19** obtained by **COUNTRYWIDE HOME LOANS, INC.**, (the Mortgagee) against you. In the event the sale is continued, an announcement will be made at said sale in compliance with Pa.R.C.P., Rule 3129.3.

**NOTICE OF OWNER'S RIGHTS**

**YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE**

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

1. The Sale will be cancelled if you pay to the Mortgagee, **COUNTRYWIDE HOME LOANS, INC.**, the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call (215) 563-7000.
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 better chance you will have of stopping the Sale. (See the Notice below on how to obtain an attorney.)

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

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling (215) 563-7000.
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 (215) 563-7000.
4. If the amount due from the Buyer is not paid to the Sheriff, you will remain the owner of the property as if the Sale never happened.
5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a Deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You may be entitled to a share of the money which was paid for your real estate. A Schedule of Distribution of the money bid for real estate will be filed by the Sheriff. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reason why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the Schedule of Distribution is filed.
7. You may also have other rights and defenses or ways of getting your home back if you act immediately after the Sale.

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

**COLUMBIA COUNTY  
SUSQUEHANNA LEGAL SERVICES  
168 EAST 5<sup>TH</sup> STREET  
BLOOMSBURG, PA 17815  
(570) 784-8760**

## DESCRIPTION

ALL that certain piece, parcel, or plot of land lying and being situate on the South side of First Avenue, in the Borough of Berwick, County of Columbia, State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the Southerly side of First Avenue, which point is located at the center of Lot 516 of Berwick Land Improvement Company's addition to the Borough of Berwick;

THENCE in an easterly direction along the southerly side of First Avenue, a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being the easterly portion of lot 516 and the next twenty-two and one-half (22-1/2) feet being the westerly one-half of Lot 515, to a point on which is located in the center of a double house, the eastern portion of which is now owned by Frank Capobianco and Rose Capobianco, his wife;

THENCE through the center of said double house, one hundred sixty (160) feet to the Northerly side of a fifteen (15) foot alley;

THENCE westerly along the northerly side of said alley a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being along the westerly portion of Lot 515 and the next twenty-two and one-half (22-1/2) feet being along the easterly half portion of Lot 516, to a point being located in the easterly boundary of lands now owned by Joseph DeFebo;

THENCE northerly through the center line of Lot 516, a distance of one hundred sixty (160) feet to the southerly side of First Avenue, the place of the beginning.

Vested by Deed, dated 06/17/2004, given by Angela Colone, widow to Jose R. Posada and Petronila Posada, his wife and recorded 6/28/2004 Instrument # 200407228  
Real Property Owner: Jose R. Posada and Petronila Posada

Premises being: 1106 FIRST AVENUE, BERWICK, PA 18603  
Tax Parcel #04C-02-200

**SHORT DESCRIPTION**

**By virtue of Writ of Execution No.2007-cv-631**

**COUNTRYWIDE HOME LOANS, INC.**

**v.**

**JOSE R. POSADA & PETRONILA POSADA**

**Owners of property situate in the BOROUGH OF BERWICK, COLUMBIA COUNTY, PENNSYLVANIA**  
**BEING (MUNICIPALITY)**

**1106 FIRST AVENUE, BERWICK, PA 18603**

**PARCEL NO. 04C-02-200**

**IMPROVEMENTS THEREON: RESIDENTIAL DWELLING**

**DANIEL G. SCHMIEG, ESQUIRE**

**JAY B. JONES, ESQUIRE**

**ANDREW L. SPIVACK, ESQUIRE**

**JENINIE R. DAVEY, ESQUIRE**



BERWICK AREA SCHOOL DISTRICT				2009 SCHOOL REAL ESTATE DATE 07/01/2009				BILL# 008021				ORIGINAL			
DESCRIPTION		ASSESSMENT	RATE	2% DISC	FACE AMOUNT	10% PENALTY									
REAL ESTATE		14789	48.1000	697.12	711.35	782.49									
<b>HOURS</b> Mon, Tue, Thur, 9:30am-4:00pm Closed Wednesday and Friday Closed Holidays <b>PHONE</b> 570-752-7442		<b>PAY THIS AMOUNT</b> The 2% discount and 10% penalty have been computed for your convenience. Taxes are due now and payable. Prompt payment is requested. This tax notice must be returned with your payment. For a receipt, enclose a SASE.		<b>IF PAID ON OR BEFORE</b> Aug. 31		<b>IF PAID ON OR BEFORE</b> Oct. 31		<b>IF PAID AFTER</b> Nov. 1		<b>782.49</b>					
<b>NO REFUNDS UNDER \$5.00</b>															
<b>MAKE SEPERATE CHECKS FOR SCHOOL PAYMENT</b>															
<b>PARCEL 04C02 20000000</b> 1106 FIRST AVE 20040-7228 0.17 ACRES		<b>PROPERTY DESCRIPTION</b> SCHOOL PENALTY 10% DELINQUENT TAX TO COURTHOUSE DEC. 15		<b>ACCT.</b> 8827											

FOR: COLUMBIA County		DATE		BILL NO.	
03/01/2009		5495			
GENERAL	14,789	6.146	89.07	90.89	99.98
SINKING		1.345	19.49	19.89	21.88
FIRE		1.25	18.12	18.49	19.41
LIGHT		1.75	25.36	25.88	27.17
BORO RE		10.6	153.62	156.76	164.60
The discount & penalty have been calculated for your convenience		<b>PAY THIS AMOUNT</b>		<b>305.66</b> April 30 If paid on or before	
<b>TAXES ARE DUE &amp; PAYABLE - PROMPT PAYMENT IS REQUESTED</b>		<b>CNTY TWP</b>		<b>June 30</b> If paid after	
Discount 2% Penalty 10% PARCEL: 04C-02-200-00,000 1106 FIRST AVE 169 Acres		2% 5% Land Buildings Total Assessment		2,944 11,845 14,789	

FOR: COLUMBIA County		DATE		BILL NO.	
03/01/2009		5495			
<b>MAKE CHECKS PAYABLE TO:</b> Connie C Gingham 1615 Lincoln Avenue Berwick PA 18603		<b>MAKE CHECKS PAYABLE TO:</b> SCHOOL PENALTY 10% DELINQUENT TAX TO COURTHOUSE DEC. 15		<b>FILE COPY</b> <i>CW</i> <i>8/30/09</i>	

**SHORT DESCRIPTION**

**By virtue of Writ of Execution No.2007-cv-631**

**COUNTRYWIDE HOME LOANS, INC.**

**v.**

**JOSE R. POSADA & PETRONILA POSADA**

**Owners of property situate in the BOROUGH OF BERWICK, COLUMBIA COUNTY, PENNSYLVANIA**  
**BEING (MUNICIPALITY)**

**1106 FIRST AVENUE, BERWICK, PA 18603**

**PARCEL NO. 04C-02-200**

**IMPROVEMENTS THEREON: RESIDENTIAL DWELLING**

**DANIEL G. SCHMIEG, ESQUIRE**

**JAY B. JONES, ESQUIRE**

**ANDREW L. SPIVACK, ESQUIRE**

**JENINIE R. DAVEY, ESQUIRE**

## DESCRIPTION

ALL that certain piece, parcel, or plot of land lying and being situate on the South side of First Avenue, in the Borough of Berwick, County of Columbia, State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the Southerly side of First Avenue, which point is located at the center of Lot 516 of Berwick Land Improvement Company's addition to the Borough of Berwick;

THENCE in an easterly direction along the southerly side of First Avenue, a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being the easterly portion of lot 516 and the next twenty-two and one-half (22-1/2) feet being the westerly one-half of Lot 515, to a point on which is located in the center of a double house, the eastern portion of which is now owned by Frank Capobianco and Rose Capobianco, his wife;

THENCE through the center of said double house, one hundred sixty (160) feet to the Northerly side of a fifteen (15) foot alley;

THENCE westerly along the northerly side of said alley a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being along the westerly portion of Lot 515 and the next twenty-two and one-half (22-1/2) feet being along the easterly half portion of Lot 516, to a point being located in the easterly boundary of lands now owned by Joseph DeFebo;

THENCE northerly through the center line of Lot 516, a distance of one hundred sixty (160) feet to the southerly side of First Avenue, the place of the beginning.

Vested by Deed, dated 06/17/2004, given by Angela Colone, widow to Jose R. Posada and Petronila Posada, his wife and recorded 6/28/2004 Instrument # 200407228  
Real Property Owner: Jose R. Posada and Petronila Posada

Premises being: 1106 FIRST AVENUE, BERWICK, PA 18603  
Tax Parcel #04C-02-200

## DESCRIPTION

ALL that certain piece, parcel, or plot of land lying and being situate on the South side of First Avenue, in the Borough of Berwick, County of Columbia, State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the Southerly side of First Avenue, which point is located at the center of Lot 516 of Berwick Land Improvement Company's addition to the Borough of Berwick;

THENCE in an easterly direction along the southerly side of First Avenue, a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being the easterly portion of lot 516 and the next twenty-two and one-half (22-1/2) feet being the westerly one-half of Lot 515, to a point on which is located in the center of a double house, the eastern portion of which is now owned by Frank Capobianco and Rose Capobianco, his wife;

THENCE through the center of said double house, one hundred sixty (160) feet to the Northerly side of a fifteen (15) foot alley;

THENCE westerly along the northerly side of said alley a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being along the westerly portion of Lot 515 and the next twenty-two and one-half (22-1/2) feet being along the easterly half portion of Lot 516, to a point being located in the easterly boundary of lands now owned by Joseph DeFebo;

THENCE northerly through the center line of Lot 516, a distance of one hundred sixty (160) feet to the southerly side of First Avenue, the place of the beginning.

Vested by Deed, dated 06/17/2004, given by Angela Colone, widow to Jose R. Posada and Petronila Posada, his wife and recorded 6/28/2004 Instrument # 200407228  
Real Property Owner: Jose R. Posada and Petronila Posada

Premises being: 1106 FIRST AVENUE, BERWICK, PA 18603  
Tax Parcel #04C-02-200

## DESCRIPTION

ALL that certain piece, parcel, or plot of land lying and being situate on the South side of First Avenue, in the Borough of Berwick, County of Columbia, State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the Southerly side of First Avenue, which point is located at the center of Lot 516 of Berwick Land Improvement Company's addition to the Borough of Berwick;

THENCE in an easterly direction along the southerly side of First Avenue, a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being the easterly portion of lot 516 and the next twenty-two and one-half (22-1/2) feet being the westerly one-half of Lot 515, to a point on which is located in the center of a double house, the eastern portion of which is now owned by Frank Capobianco and Rose Capobianco, his wife;

THENCE through the center of said double house, one hundred sixty (160) feet to the Northerly side of a fifteen (15) foot alley;

THENCE westerly along the northerly side of said alley a distance of forty-five (45) feet, the first twenty-two and one-half (22-1/2) feet being along the westerly portion of Lot 515 and the next twenty-two and one-half (22-1/2) feet being along the easterly half portion of Lot 516, to a point being located in the easterly boundary of lands now owned by Joseph DeFebo;

THENCE northerly through the center line of Lot 516, a distance of one hundred sixty (160) feet to the southerly side of First Avenue, the place of the beginning.

Vested by Deed, dated 06/17/2004, given by Angela Colone, widow to Jose R. Posada and Petronila Posada, his wife and recorded 6/28/2004 Instrument # 200407228  
Real Property Owner: Jose R. Posada and Petronila Posada

Premises being: 1106 FIRST AVENUE, BERWICK, PA 18603  
Tax Parcel #04C-02-200

# SHERIFF'S RETURN

COUNTRYWIDE HOME LOANS, INC.

Plaintiff

vs.

JOSE R. POSADA

PETRONILA POSADA

Defendants

IN THE COURT OF COMMON  
PLEAS  
OF COLUMBIA COUNTY

No. 2007-CV-631 CD

WRIT

ISSUED

NOW, \_\_\_\_\_ 20\_\_ I, \_\_\_\_\_ High Sheriff of Columbia County,

Pennsylvania, do hereby deputize the Sheriff of \_\_\_\_\_ County, Pennsylvania, to execute this Writ.

This deputation being made at the request and risk of the Plaintiff.

Defendants alleged address is \_\_\_\_\_

\_\_\_\_\_  
Sheriff, Columbia County, Pennsylvania

By \_\_\_\_\_  
Deputy Sheriff

AFFIDAVIT OF SERVICE

Now, \_\_\_\_\_ 200\_ at \_\_\_\_\_ O'Clock \_\_\_\_\_ m., served the within

upon \_\_\_\_\_

at \_\_\_\_\_

by handing to \_\_\_\_\_

a true and correct copy of the original Notice of Sale and made known to \_\_\_\_\_

the contents thereof.

Sworn and Subscribed before me

So Answers,

this \_\_\_\_\_

day of \_\_\_\_\_ 20 \_\_\_\_\_

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

Notary Public

Sheriff

20, \_\_\_\_\_, See return endorsed hereon by Sheriff

of \_\_\_\_\_ County, Pennsylvania, and made a part of this

return

So Answers,

Sheriff

Deputy Sheriff

# SHERIFF'S DEPARTMENT

<b>SHERIFF SERVICE</b> <b>PROCESS RECEIPT and AFFIDAVIT OF RETURN</b>		<b>INSTRUCTIONS:</b> Please type or print legibly, insuring readability of all copies. Do not detach any copies.
<b>Plaintiff</b> COUNTRYWIDE HOME LOANS, INC.		<b>Expiration date</b> Court Number 2007-CV-631
<b>Defendant</b> JOSE R. POSADA & PETRONILA POSADA		<b>Type or Writ of Complaint</b> EXECUTION/NOTICE OF SALE
<b>SERVE</b> 	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SALE. JOSE R. POSADA	
<b>AT</b>	ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) 1106 FIRST AVENUE, BERWICK, PA 18603	
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE.		

**SERVE DEFENDANT WITH THE NOTICE OF SALE.**

NOW, \_\_\_\_\_, 200\_\_, I, Sheriff of COLUMBIA County, PA do hereby deputize the Sheriff of \_\_\_\_\_ County, to execute the within and make return thereof according to law.

\_\_\_\_\_  
 Sheriff of COLUMBIA County, Penna.

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN -- Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment without liability on the part of such deputy or sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

Signature of Attorney or other Originator requesting service on behalf of <u>XX</u> Plaintiff _____ Defendant One Penn Center at	Telephone Number (215)563-7000	Date 7/8/09
ADDRESS: <span style="float: right; font-weight: bold;">84439</span> Suburban Station, 1617 John F. Kennedy Boulevard, Suite 1400 Philadelphia, PA 19103-1814		

**SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE**

PLAINTIFF	Court Number
-----------	--------------

**RETURNED:**

AFFIRMED and subscribed to before me this _____ lay	SO ANSWERS Signature of Dep. Sheriff	Date
of _____ 20	Signature of Sheriff	Date
Sheriff of		



# SHERIFF'S DEPARTMENT

<b>SHERIFF SERVICE</b> <b>PROCESS RECEIPT and AFFIDAVIT OF RETURN</b>		<b>INSTRUCTIONS:</b> Please type or print legibly, insuring readability of all copies. Do not detach any copies.	
<b>Plaintiff</b> COUNTRYWIDE HOME LOANS, INC.		<b>Expiration date</b> Court Number 2007-CV-631	
<b>Defendant</b> JOSE R. POSADA & PETRONILA POSADA		<b>Type or Writ of Complaint</b> EXECUTION/NOTICE OF SALE	
<b>→</b>	<b>SERVE</b>	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SALE. PETRONILA POSADA	
<b>AT</b>	<b>AT</b>	ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) 1106 FIRST AVENUE, BERWICK, PA 18603	
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE.			
<b>SERVE DEFENDANT WITH THE NOTICE OF SALE.</b>			
NOW, _____, 200____, I, Sheriff of COLUMBIA County, PA do hereby deputize the Sheriff of _____ County, to execute the within and make return thereof according to law.			
_____ Sheriff of COLUMBIA County, Penna.			
NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment without liability on the part of such deputy or sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.			
Signature of Attorney or other Originator requesting service on behalf of <u>XX</u> Plaintiff _____ Defendant One Penn Center at		Telephone Number (215)563-7000	Date 7/8/05
ADDRESS: Suburban Station 1617 John F. Kennedy Boulevard, Suite 1400 Philadelphia, PA 19103-1814			
<b>SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE</b>			
PLAINTIFF		Court Number	
<b>RETURNED:</b>			
AFFIRMED and subscribed to before me this _____ lay of _____ 20		SO ANSWERS Signature of Dep. Sheriff	Date
		Signature of Sheriff	Date
		Sheriff of	

PHILAN HALLINAN & SCHMIEG LLP  
ATTORNEY ESCROW ACCOUNT  
ONE PENN CENTER, SUITE 1400  
PHILADELPHIA, PA 19103-1814

TD BANK, N.A.  
PHILADELPHIA, PA 19148

3-180/360

CHECK NO  
825104

Pay ONE THOUSAND THREE HUNDRED FIFTY AND 00/100 DOLLARS

DATE	AMOUNT
07/08/2009	*****1,350.00

Void after 180 days

To The  
Order  
Of  
Sheriff of Columbia County  
35 W Main Street  
Bloomsburg, PA 17815

*Thomas S. Hallinan*

⑈825104⑈ ⑆036001808⑆36 150866 6⑈