

**COLUMBIA COUNTY SHERIFF'S OFFICE**  
SHERIFF'S REAL ESTATE FINAL COST SHEET

GMAC Mortgage VS Timothy Deir  
NO. 193-09 ED NO. 1200-09 JD

DATE/TIME OF SALE: Feb, 10 1000

BID PRICE (INCLUDES COST) \$ 3317.12

POUNDAGE - 2% OF BID \$ 66.34

TRANSFER TAX - 2% OF FAIR MKT \$ -

MISC. COSTS \$ -

TOTAL AMOUNT NEEDED TO PURCHASE \$ 3383.46

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

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

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

PURCHASER(S) SIGNATURE(S): 

TOTAL DUE: \$ 3383.46

LESS DEPOSIT: \$ 1350.-

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

TOTAL DUE IN 8 DAYS \$ 2033.46

# SHERIFF'S SALE COST SHEET

G-MAC Mortgage vs. Timothy Derr  
 NO. 193-09 ED NO. 1200-09 JD DATE/TIME OF SALE Feb, 10 1000

DOCKET/RETURN	\$15.00
SERVICE PER DEF.	\$ <u>150.00</u>
LEVY (PER PARCEL	\$15.00
MAILING COSTS	\$ <u>38.50</u>
ADVERTISING SALE BILLS & COPIES	\$17.50
ADVERTISING SALE (NEWSPAPER)	\$15.00
MILEAGE	\$ <u>22.00</u>
POSTING HANDBILL	\$15.00
CRYING/ADJOURN SALE	\$10.00
SHERIFF'S DEED	\$35.00
TRANSFER TAX FORM	\$25.00
DISTRIBUTION FORM	\$25.00
COPIES	\$ <u>5.00</u>
NOTARY	\$ <u>10.00</u>
TOTAL ***** \$ <u>398.00</u>	

WEB POSTING	\$150.00
PRESS ENTERPRISE INC.	\$ <u>933.90</u>
SOLICITOR'S SERVICES	\$75.00
TOTAL ***** \$ <u>1158.90</u>	

PROTHONOTARY (NOTARY)	\$10.00
RECORDER OF DEEDS	\$ <u>55.00</u>
TOTAL ***** \$ <u>65.00</u>	

REAL ESTATE TAXES:	
BORO, TWP & COUNTY 20	\$ _____
SCHOOL DIST. 20	\$ _____
DELINQUENT 20	\$ <u>1585.22</u>
TOTAL ***** \$ <u>1585.22</u>	

MUNICIPAL FEES DUE: ✓	
SEWER 20	\$ _____
WATER 20	\$ _____
TOTAL ***** \$ <u>-0-</u>	

SURCHARGE FEE (DSTE)	\$ <u>110.00</u>
MISC. _____	\$ _____
_____	\$ _____
TOTAL ***** \$ <u>-0-</u>	

TOTAL COSTS (OPENING BID) \$ 3317.12

PHELAN 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

February 19, 2010

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

Re: Timothy J. Derr a/k/a Timothy J. Derr Sr.  
215 Nursery Road  
Berwick, PA 18603  
No. 2009-CV-1200

**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: GMAC Mortgage, LLC

Account No. 210785

U.S. SMALL BUSINESS ADMINISTRATION  
PHILADELPHIA DISTRICT OFFICE  
ROBERT N. C. NIX FEDERAL BUILDING  
900 MARKET STREET-5TH FLOOR  
PHILADELPHIA, PA 19107

Article Addressed to:

Complete items 1, 2, and 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.

SENDER: COMPLETE THIS SECTION



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 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:

Timothy Derr  
31 Robbins Ln Apt 4  
Rocky Hill, CT 06067

COMPLETE THIS SECTION ON DELIVERY

A. Signature  ☐ Agent ☒ Addressee  
B. Received by (Printed Name)   
C. Date of Delivery 11/19/09  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7008 1830 0002 2802 1406

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

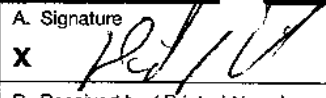
SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 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:

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature  ☐ Agent ☒ Addressee  
B. Received by (Printed Name) DAVID R. PFEIFFER  
C. Date of Delivery NOV 12 2009  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7008 1830 0002 2802 1376

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15


SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 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

COMPLETE THIS SECTION ON DELIVERY

A. Signature  ☐ Agent ☒ Addressee  
B. Received by (Printed Name) ANDY FOSTER  
C. Date of Delivery NOV 12 2009  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

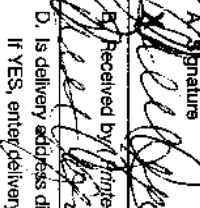
2. Article Number

(Transfer from service label)

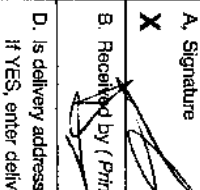
7008 1830 0002 2802 1345

Domestic Return Receipt

102595-02-M-15

COMPLETE THIS SECTION ON DELIVERY  
A. Signature  ☐ Agent ☒ Addressee  
B. Received by (Printed Name) Timothy Derr  
C. Date of Delivery 11/19/09  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

SENDER: COMPLETE THIS SECTION  
■ Complete items 1, 2, and 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.

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B. Received by (Printed Name) ANDY FOSTER  
C. Date of Delivery NOV 12 2009  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

4. Restricted Delivery? (Extra Fee) ☐ Yes  
Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

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

4. Restricted Delivery? (Extra Fee) ☐ Yes  
3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

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: **PHELAN HALLINAN & SCHMIEG, LLP** Suite 1400 Telephone Number: \_\_\_\_\_  
Street Address: **One Penn Center at Suburban Station** City: **Philadelphia** Area Code: **(215) 563-7000**  
**1617 JFK Blvd.** State: **PA** Zip Code: **19103**

### B TRANSFER DATA

Grantor(s)/Lessor(s): **Timothy T. Chamberlain - Sheriff** Date of Acceptance of Document: \_\_\_\_\_  
**Columbia County Courthouse** Grantee(s)/Lessee(s): **FANNIE MAE**  
Street Address: **P.O. Box 380, 35 W. Main St.** Street Address: **P.O. Box 650043**  
City: **Bloomsburg** State: **PA** Zip Code: **17815** City: **Dallas** State: **TX** Zip Code: **75265-0043**

### C PROPERTY LOCATION

Street Address: **215 Nursery Road, Berwick, PA 18603** City, Township, Borough: **North Centre Township**  
County: **COLUMBIA** School District: **North Centre Township** Tax Parcel Number: **11-05A-009-00,000**

### D VALUATION DATA

1. Actual Cash Consideration <b>\$3,383.46</b>	2. Other Consideration <b>+ -0-</b>	3. Total Consideration <b>= \$3,383.46</b>
4. County Assessed Value <b>\$27,773.00</b>	5. Common Level Ratio Factor <b>x 3.69</b>	6. Fair Market Value <b>= \$ 102,482.37</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>
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#### 2. Check Appropriate Box Below for Exemption Claimed

- ☐ Will or intestate succession \_\_\_\_\_ (Name of Decedant) \_\_\_\_\_ (Estate File Number)
- ☐ 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 <b>Nora M. Ferrer</b>	Date: <b>2/19/2010</b>
--	---------------------------

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

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)

Pa.R.C.P. 3180-3183 and Rule 3257

GMAC MORTGAGE, LLC

vs.

TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.

COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 2009-CV-1200

2009-ED-193  
COLUMBIA COUNTY

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: 215 NURSERY ROAD, BERWICK, PA 18603  
(See Legal Description attached)

Amount Due

\$129,708.19

Additional Fees and Costs

\$1,741.00

Interest from 10/01/2009 to Date of Sale

\$\_\_\_\_\_ and costs.

@ \$21.32 per diem

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

Dated 11-6-09  
(SEAL)

PHS # 210785

IN THE COURT OF COMMON PLEAS OF  
COLUMBIA COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC

vs.

TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Costs

Office of Judicial Support

Judg. Fee

Cr.

Sat.

Attorney for Plaintiff

**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
- ☐ 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

Address where papers may be served:

TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.  
31 ROBBINS LN, APT A  
ROCKY HILL, CT 06067-1425

Address where papers may be served:

TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.  
31 ROBBINS LN, APT A  
ROCKY HILL, CT 06067-1425

Complaint \$90.50pd  
Judgment \$14.00pd  
Writ \$23.00pd  
Satisfy \$7.00

### LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF NORTH CENTRE, COUNTY OF COLUMBIA AND STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT AN IRON PIN ON THE WESTERLY RIGHT-OF-WAY OF TOWNSHIP ROUTE NO. 728 LEADING FROM TOWNSHIP ROUTE NO. 503 TO LEGISLATIVE ROUTE NO. 19041, SAID PIN BEING AT THE NORTHEAST CORNER OF LOT NO. 26; THENCE ALONG THE NORTHERLY LINE OF LOT NO. 26, NORTH 60 DEGREES 29 MINUTES 05 SECONDS WEST, 309.01 FEET TO AN IRON PIN AND LANDS NOW OR FORMERLY OF MURIEL R. WOLFE; THENCE ALONG LANDS NOW OR FORMERLY OF WOLFE NORTH 13 DEGREES 07 MINUTES 13 SECONDS EAST 140.56 FEET TO AN IRON PIN AT THE SOUTHWEST CORNER OF LOT NO. 24; THENCE ALONG THE SOUTHERLY LINE OF LOT NO. 24 SOUTH 60 DEGREES 29 MINUTES 05 SECONDS EAST 337.05 FEET TO AN IRON PIN ON THE WESTERLY RIGHT-OF-WAY OF THE AFOREMENTIONED TOWNSHIP ROUTE NO. 728; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 24 DEGREES 35 MINUTES WEST 135.35 FEET TO THE PLACE OF BEGINNING.

BEING LOT NO. 25 AS LAID OUT FOR EARL A. WOLFE AND MURIEL R. WOLFE, HIS WIFE, AND SHOWN ON DRAFT PREPARED BY T. BRYCE JAMES, R.S. DATED NOVEMBER 4, 1972.

Commonly known as: 215 Nursery Road, Berwick, PA 18603

TITLE TO SAID PREMISES IS VESTED IN Timothy J. Derr, by Deed from Timothy J. Derr and Linda A. Derr, dated 03/16/2002, recorded 03/26/2002 in Instrument Number 200203615.

Premises being: 215 NURSERY ROAD, BERWICK, PA 18603

Tax Parcel # 11-05A-009-00,000



GMAC MORTGAGE, LLC

: COURT OF COMMON PLEAS  
:  
Plaintiff : CIVIL DIVISION  
:  
: NO. 2009-CV-1200  
: 2009-ED-193  
: COLUMBIA COUNTY  
Defendant(s) :  
:

vs.

TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.

Defendant(s)

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

TO: TIMOTHY J. DERR A/K/A  
TIMOTHY J. DERR, SR.  
215 NURSERY ROAD  
BERWICK, PA 18603

TIMOTHY J. DERR A/K/A  
TIMOTHY J. DERR, SR.  
207 EAST ST  
NEW BRITAIN, CT 06051-3210

TIMOTHY J. DERR A/K/A  
TIMOTHY J. DERR, SR.  
31 ROBBINS LN, APT A  
ROCKY HILL, CT 06067-1425

**\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS 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 **215 NURSERY ROAD, BERWICK, PA 18603** is scheduled to be sold at the Sheriff's Sale on Feb 10, 2010 at 10:00 am in the **Office of the Sheriff, Columbia County Courthouse, 35 West Main Street, Bloomsburg, PA 17815** to enforce the court judgment of **\$129,708.19** obtained by **GMAC MORTGAGE, LLC** (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 canceled if you pay to the mortgagee the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call: **215-563-7000 x1230**.
2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.
3. You may also be able to stop the sale through other legal proceedings.

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

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

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling 215-563-7000.
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 the right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You may be entitled to a share of the money which was paid for your house. A proposed schedule of distribution of the money bid for your house will be prepared by the Sheriff not later than thirty (30) days after the sale. The schedule shall be kept on file with the sheriff and will be made available for inspection in his office. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the filing of the proposed schedule.
7. You may also have other rights and defenses, or ways of getting your home back, if you act immediately after the sale.

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

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

### LEGAL DESCRIPTION

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Premises being: 215 NURSERY ROAD, BERWICK, PA 18603

Tax Parcel # 11-05A-009-00,000

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  
922696

Pay TWO THOUSAND THIRTY THREE AND 46/100 DOLLARS

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

DATE	AMOUNT
03/10/2010	*****2,033.46

JUN 03/10/2010

Valid after 180 days

*Travis S. Hallinan*

⑈922696⑈ ⑆036001808⑆36 150866 6⑈

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

GMAC MORTGAGE, LLC

vs.

TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.

COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 2009-CV-1200

2009-ED-193  
COLUMBIA COUNTY

Commonwealth of Pennsylvania:

County of Columbia

TO THE SHERIFF OF COLUMBIA COUNTY, PENNSYLVANIA:

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(See Legal Description attached)

Amount Due

Additional Fees and Costs

Interest from 10/01/2009 to Date of Sale  
@ \$21.32 per diem

\$129,708.19

\$1,741.00

\$\_\_\_\_\_ and costs.

Tara B Kline [KPB]  
(Clerk) Office of the Prothy Support, Common Pleas Court  
of Columbia County, Penna.

Dated 11-6-09  
(SEAL)

PHS # 210785

### LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF NORTH CENTRE, COUNTY OF COLUMBIA AND STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT AN IRON PIN ON THE WESTERLY RIGHT-OF-WAY OF TOWNSHIP ROUTE NO. 728 LEADING FROM TOWNSHIP ROUTE NO. 503 TO LEGISLATIVE ROUTE NO. 19041, SAID PIN BEING AT THE NORTHEAST CORNER OF LOT NO. 26; THENCE ALONG THE NORTHERLY LINE OF LOT NO. 26, NORTH 60 DEGREES 29 MINUTES 05 SECONDS WEST, 309.01 FEET TO AN IRON PIN AND LANDS NOW OR FORMERLY OF MURIEL R. WOLFE; THENCE ALONG LANDS NOW OR FORMERLY OF WOLFE NORTH 13 DEGREES 07 MINUTES 13 SECONDS EAST 140.56 FEET TO AN IRON PIN AT THE SOUTHWEST CORNER OF LOT NO. 24; THENCE ALONG THE SOUTHERLY LINE OF LOT NO. 24 SOUTH 60 DEGREES 29 MINUTES 05 SECONDS EAST 337.05 FEET TO AN IRON PIN ON THE WESTERLY RIGHT-OF-WAY OF THE AFOREMENTIONED TOWNSHIP ROUTE NO. 728; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 24 DEGREES 35 MINUTES WEST 135.35 FEET TO THE PLACE OF BEGINNING.

BEING LOT NO. 25 AS LAID OUT FOR EARL A. WOLFE AND MURIEL R. WOLFE, HIS WIFE, AND SHOWN ON DRAFT PREPARED BY T. BRYCE JAMES, R.S. DATED NOVEMBER 4, 1972.

Commonly known as: 215 Nursery Road, Berwick, PA 18603

TITLE TO SAID PREMISES IS VESTED IN Timothy J. Derr, by Deed from Timothy J. Derr and Linda A. Derr, dated 03/16/2002, recorded 03/26/2002 in Instrument Number 200203615.

Premises being: 215 NURSERY ROAD, BERWICK, PA 18603

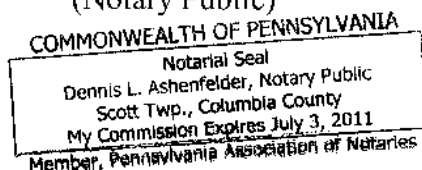
Tax Parcel # 11-05A-009-00,000

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 January 20, 27 and February 3, 2010 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 5<sup>th</sup> day of February, 2010.

(Notary Public)



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.

County 024

PARCEL ID:

11-054-00

000

TAX YEAR 2010

ALTERNATE ID:

VERSION

0

UPDATED:

3

RNEWART

on

05/18/2009 03:16 pm

CUR

Y

Owner: DERR TIMOTHY J

Multi Owners: N

Billroll: PRIM

PRIMARY

Stub/Receipt:

Date Rcvd: 01/26/2009

Location: 215 NURSERY RD

Owner Occupy:

Bankruptcy Flag:

Delq  
Year

Billroll

Tax

Penalty

Interest

Fees/  
Other

Total

2008

PRIM

1,238.31

123.83

132.86

75.00

1,570.00

Total

1,238.31

123.83

132.86

75.00

1,570.00

Last Payment:

Last Notice Date:

Type:

Stay Agreement: NO

Stay Year:

Tax Sale Type:

1,570.00

10.2% Int.

5.1% Tax Cert

1,585.22 = March  
amount

#1,585.22  
March amount



# Tax Bill Master Transaction Detail

DERR TIMOTHY J --- 2010-11 -RE .013512 tctax1s

Taxpayer Name	Bill #	Post Date	Tax				Parcel
			Disc Amt	Face Amt	Pent Amt	Code Category	
DERR TIMOTHY J	013512	01/15/2010	6.40	6.53	7.18	F O	11 -05A-009-00,000
DERR TIMOTHY J	013512	01/15/2010	167.28	170.69	187.76	G O	11 -05A-009-00,000
DERR TIMOTHY J	013512	01/15/2010	163.31	166.64	183.30	R O	11 -05A-009-00,000
DERR TIMOTHY J	013512	01/15/2010	36.60	37.35	41.09	S O	11 -05A-009-00,000
Sub-Total			373.59	381.21	419.33		

THIS IS ONLY  
COUNTY & TWP. FOR 2010 TAXES  
(SCHOOL TAXES ARE NOT INCLUDED)

mp

COUNTY OF COLUMBIA  
REAL ESTATE TAX LIEN CERTIFICATE

DATE: 25-JAN-10

FEE: \$5.00

CERT. NO: 6979

DERR TIMOTHY J  
215 NURSERY ROAD  
BERWICK PA 18603

DISTRICT: CENTRE NORTH TWP  
DEED: 20020-3615  
LOCATION: LOT 25  
PARCEL: 11 -05A-009-00,000

YEAR	BILL ROLL	AMOUNT	INTEREST	-----PENDING----- COSTS	TOTAL AMOUNT DUE
2008	PRIM	1,559.78	20.44	0.00	1,580.22
TOTAL DUE :					\$1,580.22

TAX CLAIM TOTAL AMOUNT DUE DURING THE MONTH OF: March ,2010

THIS IS TO CERTIFY THAT, ACCORDING TO OUR RECORDS, TAX LIENS AS OF  
DECEMBER 31, 2009

REQUESTED BY: Timothy T. Chamberlain, Sheriff  
dm.

# Tax Bill Master Transaction Detail

DERR TIMOTHY J --- 2010-11 -RE -013512 tctax1s

Taxpayer Name	Bill #	Post Date	Disc Amt	Face Amt	Tax			Parcel
					Pent Amt	Code	Category	
DERR TIMOTHY J	013512	01/15/2010	6.40	6.53	7.18	F	O	11 -05A-009-00,000
DERR TIMOTHY J	013512	01/15/2010	167.28	170.69	187.76	G	O	11 -05A-009-00,000
DERR TIMOTHY J	013512	01/15/2010	163.31	166.64	183.30	R	O	11 -05A-009-00,000
DERR TIMOTHY J	013512	01/15/2010	36.60	37.35	41.09	S	O	11 -05A-009-00,000
Sub-Total			373.59	381.21	419.33			

THIS IS ONLY  
COUNTY & TWP. FOR THE 2010 TAXES  
(SCHOOL TAXES ARE NOT INCLUDED)

*Phm.*

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

**CHRISTINE SCHOFFLER**  
**Legal Assistant, 1286**

**Representing Lenders in**  
**Pennsylvania and New Jersey**

---

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

No. 2009-CV-1200

**Re: GMAC MORTGAGE, LLC VS. TIMOTHY J. DERR**  
**No. 2009-CV-1200**

**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 02/10/2010 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:

  
CHRISTINE SCHOFFLER, Legal Assistant

cc: Sheriff of COLUMBIA County

IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC  
Plaintiff,

v.

TIMOTHY J. DERR  
Defendant(s)

: COLUMBIA COUNTY  
:  
: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: No. 2009-CV-1200  
:

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  
☒ 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

Date: 11/12/10

**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, LLP  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103

JOT/BTN - Sale/Date SALE

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	****	TENANT/OCCUPANT 215 NURSERY ROAD BERWICK, PA 18603		
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				

RE: TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR. (COLUMBIA) TEAM 3 PHS# 210785

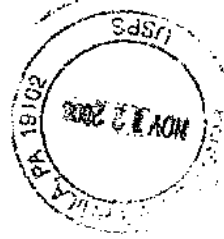
The full declaration of value is required on all domestic and international registered mail for the reconstruction of nonnegotiable documents under Express Mail document recons piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable or The maximum indemnity payable is \$25,000 for registered mail, sent with optional insur \$500 \$913 and \$921 for limitations of coverage.

Postmaster, Per (Name of Receiving Employee)

Total Number of Pieces Received at Post Office

Total Number of Pieces Listed by Sender

UNITED STATES POSTAGE  
\$01.26  
NOV 12 2009  
0004271256  
MAILED FROM ZIP CODE 19103

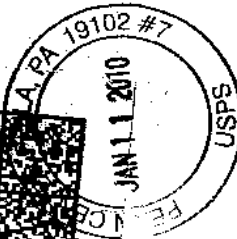
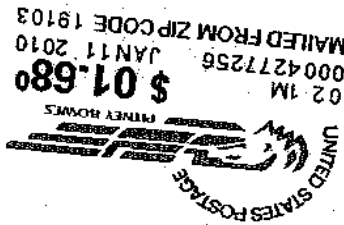


Name and  
ADDRESS  
Of Sender

Phelan Hallinan & Schmieg, LLP  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103

Line	Article Number	Name of Addressee, Street, and Post Office Address
1	***	Commonwealth of Pennsylvania Bureau of Individual Tax 6th Floor, Strawberry Square Dept. 280601 Inheritance Tax Division Attention: John Murphy Harrisburg, PA 17128
2		Internal Revenue Service Federated Investors Tower 13th Floor, Suite 1300 1001 Liberty Avenue Pittsburgh, PA 15222
3		Department of Public Welfare TPL Casualty Unit P.O. Box 8486 Willow Oak Building Estate Recovery Program Harrisburg, PA 17105-8486
4		DOMESTIC RELATIONS OF COLUMBIA COUNTY COLUMBIA COUNT COURTHOUSE P.O. BOX 380 BLOOMSBURG, PA 17105
5		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE P.O. BOX 26751 HARRISBURG, PA 19105
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		RE: TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR. (COLUMBIA COUNTY) PHS 210785

Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable for Express Mail insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See the Manual R900 S913 and S921 for limitations of coverage.
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# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 11/6/2009

SERVICE# 5 - OF - 11 SERVICES  
DOCKET # 193ED2009

PLAINTIFF GMAC MORTGAGE, LLC

DEFENDANT TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.  
ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

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

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON MAUREEN COLE

RELATIONSHIP CUSTOMER SERVICE IDENTIFICATION \_\_\_\_\_

DATE 1-15-10 TIME 0900 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. C. [Signature]

DATE 1-15-10



# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN  
DATE RECEIVED 11/6/2009

SERVICE# 4 - OF - 11 SERVICES  
DOCKET # 193ED2009

PLAINTIFF GMAC MORTGAGE, LLC

DEFENDANT TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.  
ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

PERSON/CORP TO SERVED
NORTH CENTRE TAX (COUNTY TWP)
PO BOX 380
BLOOMSBURG

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON Deb Miller

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

DATE 1-15-10 TIME 0910 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

TC DATE \_\_\_\_\_

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 11/6/2009

SERVICE# 3 - OF - 11 SERVICES  
DOCKET # 193ED2009

PLAINTIFF GMAC MORTGAGE, LLC

DEFENDANT TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.  
ATTORNEY FIRM PHELAN HALLINAN AND SCHMIEG

PERSON/CORP TO SERVED
TENANT(S)
215 NURSERY ROAD
BERWICK

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON ROSEN / LACAND

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

DATE 01.14.10 TIME 1535 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 PLA DERR DATE 01.14.10

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 11/6/2009

SERVICE# 8 - OF - 11 SERVICES  
DOCKET # 193ED2009

PLAINTIFF

GMAC MORTGAGE, LLC

DEFENDANT  
ATTORNEY FIRM

TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.  
PHELAN HALLINAN AND SCHMIEG

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

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON Deb

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

DATE 1-15 TIME 0910 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

TC DATE \_\_\_\_\_

193  
AFFIDAVIT OF SERVICE (FNMA)

PLAINTIFF  
GMAC MORTGAGE, LLC

COLUMBIA COUNTY

PHS # 210785

DEFENDANT  
TIMOTHY J. DERR

SERVICE TEAM/ hos

SERVE TIMOTHY J. DERR AT:  
31 ROBBINS LN  
APT A  
ROCKY HILL, CT 06067-1425

COURT NO.: 2009-CV-1200  
TYPE OF ACTION  
XX Notice of Sheriff's Sale  
SALE DATE: 02/10/2010

SERVED

Stuart

Served and made known to Perlmutter, Defendant on the 21<sup>st</sup> day of November, 2009, at 11:10 o'clock A M., at 31 Robbins Lane, Apt A, in the manner described below:

☒ Defendant personally served. Rocky Hill, CT 06067

☐ Adult family member with whom Defendant(s) reside(s).

Relationship is \_\_\_\_\_.

☐ Adult in charge of Defendant's residence who refused to give name or relationship.

☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).

☐ Agent or person in charge of Defendant's office or usual place of business.

☐ \_\_\_\_\_ an officer of said Defendant's company.

☐ Other: \_\_\_\_\_.

Description: Age M Height 5'10" Weight 185 Race W Sex M Other \_\_\_\_\_

Stuart

I, Perlmutter, 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 \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

Notary:

By:

NOT SERVED

On the \_\_\_\_\_ day of \_\_\_\_\_, 2009, at \_\_\_\_\_ o'clock    M., Defendant NOT FOUND because:

☐ Vacant ☐ Bad Address ☐ Moved ☐ Does Not Reside (Not Vacant)

☐ No Answer ☐ Service Refused

Other:

Sworn to and subscribed  
before me this 23 day  
of Nov, 2009.

By:

Notary:

*Linda J. Perlmutter*

LINDA J. PERLMUTTER  
NOTARY PUBLIC  
My Commission Expires Dec. 31, 2013

  
Stuart Perlmutter

ATTORNEY FOR PLAINTIFF

Lawrence T. Pheasant, 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. Filakos, 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  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

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  
-----

GMAC MORTGAGE, LLC

193ED2009

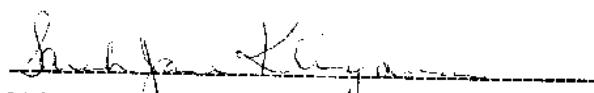
VS.

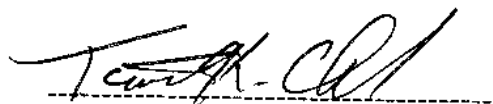
TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.

THE AFOREMENTIONED WRIT IS BEING RETURNED NOT SERVED, AS OF  
THIS 11/16/2009 FOR THE FOLLOWING REASONS:  
CERTIFIED UNCLAIMED

SWORN AND SUBSCRIBED BEFORE ME  
THIS Tuesday, January 05, 2010

SO ANSWERS :

  
NOTARY PUBLIC

  
TIMOTHY T. CHAMBERLAIN  
SHERIFF

Notarial Seal  
SARAH JANE KLINGAMAN  
Notary Public  
Town of Bloomsburg, Columbia County PA  
My Commission Expires September 30, 2012

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

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.

GMAC MORTGAGE, LLC

VS.

TIMOTHY DERR

WRIT OF EXECUTION #193 OF 2009 ED

POSTING OF PROPERTY

JANUARY 6, 2010 POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE  
PROPERTY OF TIMOTHY DERR AT 215 NURSERY ROAD 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 7<sup>TH</sup> DAY OF JANUARY 2010

Notarial Seal  
SARAH JANE KLINGAMAN  
Notary Public

Town of Bloomsburg, Columbia County PA  
My Commission Expires September 30, 2012

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

GMAC MORTGAGE, LLC	:	Court of Common Pleas
Plaintiff	:	
	:	Civil Division
vs.	:	
TIMOTHY J. DERR	:	COLUMBIA County
	:	
Defendant	:	No. 2009-CV-1200
	:	

AND NOW, this 14 day of December, 2010 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	\$122,151.96
Interest Through February 10, 2010	\$8,314.27
Per Diem \$22.17	
Late Charges	\$316.24
Legal fees	\$1,300.00
Cost of Suit and Title	\$1,327.50
Sheriff's Sale Costs	\$0.00
Property Inspections/ Property Preservation	\$573.75
Appraisal/Brokers Price Opinion	\$0.00
Mortgage Insurance Premium/	\$0.00
Private Mortgage Insurance	
Non Sufficient Funds Charge	\$0.00
Suspense/Misc. Credits	(\$0.00)
Escrow Deficit	\$0.00
<b>TOTAL</b>	<b>\$133,983.72</b>

Plus interest from February 10, 2010 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

*/s/ Thomas A. James, Jr.*  
J.

# REAL ESTATE OUTLINE

ED # 10000

DATE RECEIVED Jan 10  
DOCKET AND INDEX 10000

## CHECK FOR PROPER INFO.

WRIT OF EXECUTION	<input checked="" type="checkbox"/>	
COPY OF DESCRIPTION	<input checked="" type="checkbox"/>	
WHEREABOUTS OF LKA	<input checked="" type="checkbox"/>	
NON-MILITARY AFFIDAVIT	<input checked="" type="checkbox"/>	capital letter name
NOTICES OF SHERIFF SALE	<input checked="" type="checkbox"/>	
WAIVER OF WATCHMAN	<input checked="" type="checkbox"/>	
AFFIDAVIT OF LIENS LIST	<input checked="" type="checkbox"/>	
CHECK FOR \$1,350.00 OR	<input checked="" type="checkbox"/>	CK# <u>273516</u>

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

SALE DATE Feb. 10, 10 TIME 1000  
POSTING DATE Jan 10  
ADV. DATES FOR NEWSPAPER  
1<sup>ST</sup> WEEK Jan 10  
2<sup>ND</sup> WEEK Jan 10  
3<sup>RD</sup> WEEK Jan 10



# SHERIFF'S SALE

WEDNESDAY FEBRUARY 10, 2010 AT 10:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 193 OF 2009 ED AND CIVIL WRIT NO. 1200 OF 2009 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF NORTH CENTRE, COUNTY OF COLUMBIA AND STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT AN IRON PIN ON THE WESTERLY RIGHT-OF-WAY OF TOWNSHIP ROUTE NO. 728 LEADING FROM TOWNSHIP ROUTE NO. 503 TO LEGISLATIVE ROUTE NO. 19041, SAID PIN BEING AT THE NORTHEAST CORNER OF LOT NO. 26; THENCE ALONG THE NORTHERLY LINE OF LOT NO. 26, NORTH 60 DEGREES 29 MINUTES 05 SECONDS WEST, 309.01 FEET TO AN IRON PIN AND LANDS NOW OR FORMERLY OF MURIEL R WOLFE; THENCE ALONG LANDS NOW OR FORMERLY OF WOLFE NORTH 13 DEGREES 07 MINUTES 13 SECONDS EAST 140.56 FEET TO AN IRON PIN AT THE SOUTHWEST CORNER OF LOT NO. 24; THENCE ALONG THE SOUTHERLY LINE OF LOT NO. 24 SOUTH 60 DEGREES 29 MINUTES 05 SECONDS EAST 337.05 FEET TO AN IRON PIN ON THE WESTERLY RIGHT-OF-WAY OF THE AFOREMENTIONED TOWNSHIP ROUTE NO. 728; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 24 DEGREES 35 MINUTES WEST 135.35 FEET TO THE PLACE OF BEGINNING.

BEING LOT NO. 25 AS LAID OUT FOR EARL A. WOLFE AND MURIEL R WOLFE, HIS WIFE, AND SHOWN ON DRAFT PREPARED BY T. BRYCE JAMES, RS. DATED NOVEMBER 4, 1972.

Commonly known as: 215 Nursery Road, Berwick, PA 18603

TITLE TO SAID PREMISES IS VESTED IN Timothy J. Derr, by Deed from Timothy J. Derr and Linda A. Derr, dated 03/16/2002, recorded 03/26/2002 in Instrument Number 200203615.

Premises being: 215 NURSERY ROAD, BERWICK, PA 18603

Tax Parcel # 11-05A-009-00,000

## TERMS OF SALE

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

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

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

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.

If proceeds are payable to the Plaintiff, the proceeds check will be payable to Plaintiff, unless the Columbia County Sheriff's Office receives advance written notice otherwise, signed by an authorized representation of the Plaintiff.

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

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

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**If proceeds are payable to the Plaintiff, the proceeds check will be payable to Plaintiff, unless the Columbia County Sheriff's Office receives advance written notice otherwise, signed by an authorized representation of the Plaintiff.**

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)

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**If proceeds are payable to the Plaintiff, the proceeds check will be payable to Plaintiff, unless the Columbia County Sheriff's Office receives advance written notice otherwise, signed by an authorized representation of the Plaintiff.**

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)

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

Attorneys for Plaintiff

**GMAC MORTGAGE, LLC**  
Plaintiff

v.

**TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.**  
Defendant(s)

: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO. 2009-CV-1200**  
: **2009-ED-193**  
: **COLUMBIA COUNTY**  
:  
:

**CERTIFICATION**

The undersigned attorney hereby states that he/she is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because:

- ( ) the mortgage is an FHA Mortgage
- ( ) the premises is non-owner occupied
- ( ) the premises is vacant
- (X) Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

By: 

Attorney for Plaintiff

**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
- ☐ 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

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

Attorneys for Plaintiff

**GMAC MORTGAGE, LLC**  
Plaintiff

v.

**TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.**  
Defendant(s)

: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO. 2009-CV-1200**  
: **2009-ED-193**  
: **COLUMBIA COUNTY**  
:  
:

**CERTIFICATION**

The undersigned attorney hereby states that he/she is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because:

- ( ) the mortgage is an FHA Mortgage
- ( ) the premises is non-owner occupied
- ( ) the premises is vacant
- (X) Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

By: 

Attorney for Plaintiff

**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

GMAC MORTGAGE, LLC

Plaintiff

v.

TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.

Defendant(s)

:

:

:

:

:

:

:

CC RT OF COMMON PLEAS

CIVIL DIVISION

NO. 2009-CV-1200

2009-ED-193

COLUMBIA COUNTY

**AFFIDAVIT PURSUANT TO RULE 3129.1**

GMAC MORTGAGE, LLC, Plaintiff in the above action, by the undersigned attorney, sets forth as of the date the Praccipe for the Writ of Execution was filed, the following information concerning the real property located at **215 NURSERY ROAD, 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)

TIMOTHY J. DERR A/K/A

TIMOTHY J. DERR, SR.

31 ROBBINS LN, APT A

ROCKY HILL, CT 06067-1425
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 last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

Name

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

None.
4.

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

Name

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

None.
5.

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

Name

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

None.
6.

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

Name

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

None.

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

Name

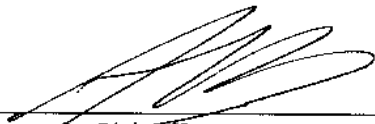
Address (if address cannot be reasonably ascertained, please indicate)

TENANT/OCCUPANT

215 NURSERY ROAD  
BERWICK, PA 18603

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

November 5, 2009

By:   
Attorney for Plaintiff

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

<b>GMAC MORTGAGE, LLC</b>	:	<b>COURT OF COMMON PLEAS</b>
Plaintiff	:	
	:	<b>CIVIL DIVISION</b>
<b>v.</b>	:	
	:	<b>NO. 2009-CV-1200</b>
<b>TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.</b>	:	
Defendant(s)	:	<b>COLUMBIA COUNTY</b>

**AMENDED AFFIDAVIT PURSUANT TO RULE 3129.1**

**GMAC MORTGAGE, LLC**, Plaintiff in the above action, by 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 **215 NURSERY ROAD, 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)

<b>TIMOTHY J. DERR A/K/A</b>	<b>31 ROBBINS LN, APT A</b>
<b>TIMOTHY J. DERR, SR.</b>	<b>ROCKY HILL, CT 06067-1425</b>

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 last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:  
 Name Address (if address cannot be  
 reasonably ascertained, please indicate)  
**None.**

4. Name and address of last recorded holder of every mortgage of record:  
 Name Address (if address cannot be  
 reasonably ascertained, please indicate)  
**None.**

5. Name and address of every other person who has any record lien on the property:  
 Name Address (if address cannot be  
 reasonably ascertained, please indicate)  
**None.**

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the sale.  
 Name Address (if address cannot be  
 reasonably ascertained, please indicate)  
**None.**



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

Name

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

**TENANT/OCCUPANT**

**215 NURSERY ROAD  
BERWICK, PA 18603**

**COMMONWEALTH OF PENNSYLVANIA  
BUREAU OF INDIVIDUAL TAX**

**6TH FLOOR, STRAWBERRY SQUARE  
DEPT. 280601  
HARRISBURG, PA 17128**

**INHERITANCE TAX DIVISION  
ATTN: JOHN MURPHY**

**13<sup>TH</sup> FLOOR, SUITE 1300  
1001 LIBERTY AVENUE  
PITTSBURGH, PA 15222**

**INTERNAL REVENUE SERVICE  
FEDERATED INVESTORS TOWER**

**DEPARTMENT OF PUBLIC WELFARE  
TPL CASUALTY UNIT  
ESTATE RECOVERY PROGRAM**

**P.O. BOX 8486  
WILLOW OAK BUILDING  
HARRISBURG, PA 17105-8486**

**DOMESTIC RELATIONS OF  
COLUMBIA COUNTY**

**COLUMBIA COUNT COURTHOUSE  
P.O. BOX 380  
BLOOMSBURG, PA 17105**

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF WELFARE**

**P.O. BOX 2675  
HARRISBURG, PA 19105**

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

January 11, 2010

By: 

Attorney for Plaintiff

**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
- ☐ 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

**GMAC MORTGAGE, LLC**

Plaintiff

v.

**TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.**

Defendant(s)

: CO .T OF COMMON PLEAS

:

: CIVIL DIVISION

:

: NO. 2009-CV-1200

:

: 2009-ED-193

:

: COLUMBIA COUNTY

**AFFIDAVIT PURSUANT TO RULE 3129.1**

GMAC MORTGAGE, LLC, Plaintiff in the above action, by 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 215 NURSERY ROAD, 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)

**TIMOTHY J. DERR A/K/A**

**TIMOTHY J. DERR, SR.**

**31 ROBBINS LN, APT A**

**ROCKY HILL, CT 06067-1425**

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

Name

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

**None.**

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

Name

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

**None.**

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

Name

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

**None.**

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

Name

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

**None.**

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

Name

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

TENANT/OCCUPANT

215 NURSERY ROAD  
BERWICK, PA 18603

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

November 5, 2009

By: 

Attorney for Plaintiff

**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
- ☐ Judith T. Romano, Esq., Id. No. 58745
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- ☐ 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

# SHERIFF'S RETURN

GMAC MORTGAGE, LLC

Plaintiff

vs.

TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.

Defendants

IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY

No. 2009-CV-1200 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, \_\_\_\_\_ 20\_\_ 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\_\_

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

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

\_\_\_\_\_, Sec return endorsed hercon by Sheriff of \_\_\_\_\_ County, Pennsylvania, and made a part of this

return

So Answers,

\_\_\_\_\_  
Sheriff

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

# SHERIFF'S DEPARTMENT

## SHERIFF SERVICE PROCESS RECEIPT and AFFIDAVIT OF RETURN

INSTRUCTIONS: Please type or print legibly, insuring readability of all copies. Do not detach any copies.

Expiration date

Plaintiff <b>GMAC MORTGAGE, LLC</b>	Court Number <b>2009-CV-1200</b>
--	-------------------------------------

Defendant <b>TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.</b>	Type or Writ of Complaint <b>EXECUTION/NOTICE OF SALE</b>
--	--

**SERVE** **AT**

{	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SALE.
{	ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) <b>215 NURSERY ROAD</b>  <b>BERWICK, PA 18603</b>

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE.

**PLEASE POST THE PREMISES WITH THE SHERIFF'S HANDBILL 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 ADDRESS: One Penn Center at Suburban Station, 1617 John F. Kennedy Boulevard, Suite 1400 Philadelphia, PA 19103-1814	Telephone Number (215)563-7000	Date
---	-----------------------------------	------

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

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

### RETURNED:

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

# SHERIFF'S DEPARTMENT

## SHERIFF SERVICE PROCESS RECEIPT and AFFIDAVIT OF RETURN

INSTRUCTIONS: Please type or print legibly, insuring readability of all copies. Do not detach any copies.

Expiration date

Plaintiff

GMAC MORTGAGE, LLC

Court Number

2009-CV-1200

Defendant

TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.

Type or Writ of Complaint

EXECUTION/NOTICE OF SALE

**SERVE**



**AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SALE.

TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.

ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code)

215 NURSERY ROAD

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 XX Plaintiff  
\_\_\_\_\_ Defendant

Telephone Number

Date

ADDRESS: One Penn Center at Suburban Station, 1617 John F. Kennedy Boulevard, Suite 1400  
Philadelphia, PA 19103-1814

(215)563-7000

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

PLAINTIFF

Court Number

### RETURNED:

AFFIRMED and subscribed to before me this \_\_\_\_\_ day

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

SO ANSWERS

Signature of Dep. Sheriff

Date

Signature of Sheriff

Date

Sheriff of

GMAC MORTGAGE, LLC

: COURT OF COMMON PLEAS  
:  
Plaintiff : CIVIL DIVISION  
:  
: NO. 2009-CV-1200  
: 2009-ED-193  
: COLUMBIA COUNTY  
Defendant(s) :  
:

vs.

TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.

Defendant(s)

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

TO: TIMOTHY J. DERR A/K/A  
TIMOTHY J. DERR, SR.  
215 NURSERY ROAD  
BERWICK, PA 18603

TIMOTHY J. DERR A/K/A  
TIMOTHY J. DERR, SR.  
207 EAST ST  
NEW BRITAIN, CT 06051-3210

TIMOTHY J. DERR A/K/A  
TIMOTHY J. DERR, SR.  
31 ROBBINS LN, APT A  
ROCKY HILL, CT 06067-1425

**\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS 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 215 NURSERY ROAD, BERWICK, PA 18603 is scheduled to be sold at the Sheriff's Sale on \_\_\_\_\_ at \_\_\_\_\_ in the Office of the Sheriff, Columbia County Courthouse, 35 West Main Street, Bloomsburg, PA 17815 to enforce the court judgment of \$129,708.19 obtained by GMAC MORTGAGE, LLC (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 canceled if you pay to the mortgagee the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call: **215-563-7000 x1230.**
2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.
3. You may also be able to stop the sale through other legal proceedings.

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

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

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling 215-563-7000.
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 the right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You may be entitled to a share of the money which was paid for your house. A proposed schedule of distribution of the money bid for your house will be prepared by the Sheriff not later than thirty (30) days after the sale. The schedule shall be kept on file with the sheriff and will be made available for inspection in his office. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the filing of the proposed schedule.
7. You may also have other rights and defenses, or ways of getting your home back, if you act immediately after the sale.

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

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



### LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF NORTH CENTRE, COUNTY OF COLUMBIA AND STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT AN IRON PIN ON THE WESTERLY RIGHT-OF-WAY OF TOWNSHIP ROUTE NO. 728 LEADING FROM TOWNSHIP ROUTE NO. 503 TO LEGISLATIVE ROUTE NO. 19041, SAID PIN BEING AT THE NORTHEAST CORNER OF LOT NO. 26; THENCE ALONG THE NORTHERLY LINE OF LOT NO. 26, NORTH 60 DEGREES 29 MINUTES 05 SECONDS WEST, 309.01 FEET TO AN IRON PIN AND LANDS NOW OR FORMERLY OF MURIEL R. WOLFE; THENCE ALONG LANDS NOW OR FORMERLY OF WOLFE NORTH 13 DEGREES 07 MINUTES 13 SECONDS EAST 140.56 FEET TO AN IRON PIN AT THE SOUTHWEST CORNER OF LOT NO. 24; THENCE ALONG THE SOUTHERLY LINE OF LOT NO. 24 SOUTH 60 DEGREES 29 MINUTES 05 SECONDS EAST 337.05 FEET TO AN IRON PIN ON THE WESTERLY RIGHT-OF-WAY OF THE AFOREMENTIONED TOWNSHIP ROUTE NO. 728; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 24 DEGREES 35 MINUTES WEST 135.35 FEET TO THE PLACE OF BEGINNING.

BEING LOT NO. 25 AS LAID OUT FOR EARL A. WOLFE AND MURIEL R. WOLFE, HIS WIFE, AND SHOWN ON DRAFT PREPARED BY T. BRYCE JAMES, R.S. DATED NOVEMBER 4, 1972.

Commonly known as: 215 Nursery Road, Berwick, PA 18603

TITLE TO SAID PREMISES IS VESTED IN Timothy J. Derr, by Deed from Timothy J. Derr and Linda A. Derr, dated 03/16/2002, recorded 03/26/2002 in Instrument Number 200203615.

Premises being: 215 NURSERY ROAD, BERWICK, PA 18603

Tax Parcel # 11-05A-009-00,000

### LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF NORTH CENTRE, COUNTY OF COLUMBIA AND STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

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Premises being: 215 NURSERY ROAD, BERWICK, PA 18603

Tax Parcel # 11-05A-009-00,000

**SHORT DESCRIPTION**

**By virtue of a Writ of Execution NO. 2009-CV-1200**

**GMAC MORTGAGE, LLC**

**vs.**

**TIMOTHY J. DERR**

**owner(s) of property situate in the TOWNSHIP OF NORTH CENTER, Columbia County,  
Pennsylvania, being**

**(Municipality)**

**215 NURSERY ROAD, BERWICK, PA 18603**

**Parcel No. 11-05A-009-00,000**

**(Acreage or street address)**

**Improvements thereon: RESIDENTIAL DWELLING**

**JUDGMENT AMOUNT: \$129,708.19**

**Attorneys for Plaintiff**

**Phelan Hallinan & Schmieg, LLP**

**SHORT DESCRIPTION**

**By virtue of a Writ of Execution NO. 2009-CV-1200**

**GMAC MORTGAGE, LLC**

**vs.**

**TIMOTHY J. DERR**

**owner(s) of property situate in the TOWNSHIP OF NORTH CENTER, Columbia County,  
Pennsylvania, being**

**(Municipality)**

**215 NURSERY ROAD, BERWICK, PA 18603**

**Parcel No. 11-05A-009-00,000**

**(Acreage or street address)**

**Improvements thereon: RESIDENTIAL DWELLING**

**JUDGMENT AMOUNT: \$129,708.19**

**Attorneys for Plaintiff**

**Phelan Hallinan & Schmieg, LLP**

**SHORT DESCRIPTION**

**By virtue of a Writ of Execution NO. 2009-CV-1200**

**GMAC MORTGAGE, LLC**

**vs.**

**TIMOTHY J. DERR**

**owner(s) of property situate in the TOWNSHIP OF NORTH CENTER, Columbia County,  
Pennsylvania, being**

**(Municipality)**

**215 NURSERY ROAD, BERWICK, PA 18603**

**Parcel No. 11-05A-009-00,000**

**(Acreage or street address)**

**Improvements thereon: RESIDENTIAL DWELLING**

**JUDGMENT AMOUNT: \$129,708.19**

**Attorneys for Plaintiff**

**Phelan Hallinan & Schmieg, LLP**

PRAECIPE FOR WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)  
Pa.R.C.P. 3180-3183

GMAC MORTGAGE, LLC

vs.

TIMOTHY J. DERR A/K/A TIMOTHY J. DERR, SR.

COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 2009-CV-1200

2009-EP-193  
COLUMBIA COUNTY

To the PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due

Additional Fees and Costs


Interest from 10/01/2009 to Date of Sale

@ \$21.32 Per diem

\$129,708.19

\$1,741.00

\$\_\_\_\_\_ and costs.

  
Attorney for Plaintiff

**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
- ☐ Judith T. Romano, Esq., Id. No. 58745
- ☐ Sheetal R. Shah-Jani, Esq., Id. No. 81760
- ☐ Jenine R. Davcy, Esq., Id. No. 87077
- ☐ Lauren R. Tabas, Esq., Id. No. 93337
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- ☐ Jay B. Jones, Esq., Id. No. 86657
- ☐ Peter J. Mulcahy, Esq., Id. No. 61791
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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

Note: Please attach description of Property.

PHS # 210785

### LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF NORTH CENTRE, COUNTY OF COLUMBIA AND STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

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Premises being: 215 NURSERY ROAD, BERWICK, PA 18603

Tax Parcel # 11-05A-009-00,000

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

TD BANK N.A.  
PHILADELPHIA, PA 19148

3-180360

CHECK NO  
873518

Pay ONE THOUSAND THREE HUNDRED FIFTY AND 00/100 DOLLARS

DATE	AMOUNT
11/05/2009	*****1,350.00

Void after 180 days

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

*Travis S. Hallinan*

⑈873518⑈ ⑆036001808⑆36 150866 6⑈