

WELLS FARGO FINANCIAL PENNSYLVANIA, INC. : COURT OF COMMON PLEAS  
 :  
 Plaintiff : CIVIL DIVISION  
 :  
 vs. : NO. 2009-CV-1253  
 :  
 TRACI N. LAPAGLIA : COLUMBIA COUNTY  
 JUSTIN R. BOYLES :  
 Defendant(s) : 2009-ED-195

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

TO: TRACI N. LAPAGLIA  
 JUSTIN R. BOYLES  
 6 EILEENS WAY  
 BLOOMSBURG, PA 17815-8314

TRACI N. LAPAGLIA  
 JUSTIN R. BOYLES  
 2346 MILLERS BOTTOM RD  
 NEW COLUMBIA, PA 17856-9465

JUSTIN R. BOYLES  
 1280 BROADWAY RD  
 MILTON, PA 17847-7806

**\*\*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 6 EILEENS WAY, BLOOMSBURG, PA 17815-8314 is scheduled to be sold at the Sheriff's Sale on \_\_\_\_\_ at \_\_\_\_\_ a.m. in the Office of the Sheriff, Columbia County Courthouse, 35 West Main Street, Bloomsburg, PA 17815 to enforce the court judgment of \$255,206.03 obtained by WELLS FARGO FINANCIAL PENNSYLVANIA, 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 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 MESSUAGE, TENEMENT AND TRACT OF LAND situate in the Township of Hemlock in the County of Columbia and Commonwealth of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at an iron pin in the easterly line of Lot No. 6 of the Penn Brook Pines Subdivision, said iron pin marking the northwesterly corner of Lot No. 9; THENCE along the easterly line of Lot No. 6, and also Lot No. 5, North 32 degrees 53 minutes 57 seconds West, 310.00 feet to an iron pin marking a westerly corner of Lot No. 11; THENCE along the westerly line of Lot No. 11, South 72 degrees 27 minutes 18 seconds East, 217.26 feet to an iron pin in the line of Eileen's Way, said iron pin marking the southwesterly corner of said Lot No. 11; THENCE along said Eileen's Way, and curve to the left, with a delta angle of 81 degrees 51 minutes 26 seconds, a radius of 50.00 feet, a tangent of 43.36 feet, an arc length of 71.43 feet, a chord bearing of South 23 degrees 23 minutes 01 seconds East, and a chord length of 65.51 feet to an iron pin marking the northeasterly corner of aforementioned Lot No. 9; THENCE along the northerly line of said Lot No. 9, South 25 degrees 41 minutes 16 seconds West, 149.43 feet to the point of BEGINNING.

CONTAINING 0.565 acres of land in all. BEING Lot No. 10 more fully described as shown on a draft of a survey prepared by Richard C. Parsons, Land Surveying, 45 Center Street, Elysburg, Pennsylvania, and recorded November 9, 1998, in Columbia County Map Book 7, Page 1518 A-G.

SUBJECT to the Building Restrictions and Covenants for Penn Brook Pines recorded in Columbia County Record Book 520, page 938, Record Book 708, Page 634, and Instrument No. 2000-04803.

SUBJECT to a Right-of-Way by and between Alfred F. Nevel, Jr. and PP&L, Inc. and Bell Atlantic, Pennsylvania, dated March 11, 1999, and recorded March 12, 1999, in Columbia County Record Book 717, Page 855, etc.

6 EILEENS WAY

PARCEL NO. 18-02-055-18

TITLE TO SAID PREMISES IS VESTED IN Justin R. Boyles, single and Traci N. LaPaglia, single, by Deed from Keith Whitmoyer, single, dated 12/29/2005, recorded 12/30/2005 in Instrument Number 200514144.

Premises being: 6 EILEENS WAY, BLOOMSBURG, PA 17815-8314

Tax Parcel # 18-02-055-18,000

# SHERIFF'S RETURN

WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

Plaintiff

vs.

TRACI N. LAPAGLIA

JUSTIN R. BOYLES

Defendants

IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY

No. 2009-CV-1253 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  
this \_\_\_\_\_  
day of \_\_\_\_\_ 20\_\_

So Answers,  
\_\_\_\_\_  
BY: \_\_\_\_\_  
Sheriff

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

20, \_\_\_\_\_, Sec return endorsed hereon 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>WELLS FARGO FINANCIAL PENNSYLVANIA, INC.</b>	Court Number <b>2009-CV-1253</b>
Defendant <b>TRACI N. LAPAGLIA JUSTIN R. BOYLES</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.

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

**6 EILEENS WAY**

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**BLOOMSBURG, PA 17815-8314**

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 <b>(215)563-7000</b>	Date
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**SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE**

PLAINTIFF	Court Number
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**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

<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.
Expiration date _____	

Plaintiff WELLS FARGO FINANCIAL PENNSYLVANIA, INC.	Court Number 2009-CV-1253
Defendant TRACI N. LAPAGLIA JUSTIN R. BOYLES	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. <b>TRACI N. LAPAGLIA</b>
}	ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) <b>6 EILEENS WAY</b>  <b>BLOOMSBURG, PA 17815-8314</b>

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.

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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**

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Expiration date

Plaintiff

WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

Court Number

2009-CV-1253

Defendant

TRACI N. LAPAGLIA  
JUSTIN R. BOYLES

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.

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

6 EILEENS WAY

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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

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PLAINTIFF

Court Number

RETURNED:

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

SO ANSWERS

Signature of Dep. Sheriff

Date

Signature of Sheriff

Date

Sheriff of

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6 EILEENS WAY

PARCEL NO. 18-02-055-18

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Premises being: 6 EILEENS WAY, BLOOMSBURG, PA 17815-8314

Tax Parcel # 18-02-055-18,000



**SHORT DESCRIPTION**

**By virtue of a Writ of Execution NO. 2009-CV-1253**

**WELLS FARGO FINANCIAL PENNSYLVANIA, INC.**

**vs.**

**TRACI N. LAPAGLIA**

**JUSTIN R. BOYLES**

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

**(Municipality)**

**6 EILEENS WAY, BLOOMSBURG, PA 17815-8314**

**Parcel No. 18-02-055-18,000**

**(Acreage or street address)**

**Improvements thereon: RESIDENTIAL DWELLING**

**JUDGMENT AMOUNT: \$255,206.03**

Attorneys for Plaintiff

**Phelan Hallinan & Schmieg, LLP**

**SHORT DESCRIPTION**

**By virtue of a Writ of Execution NO. 2009-CV-1253**

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**Attorneys for Plaintiff**

**Phelan Hallinan & Schmieg, LLP**

**SHORT DESCRIPTION**

**By virtue of a Writ of Execution NO. 2009-CV-1253**

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**Improvements thereon: RESIDENTIAL DWELLING**

**JUDGMENT AMOUNT: \$255,206.03**

**Attorneys for Plaintiff**

**Phelan Hallinan & Schmieg, LLP**

PRAECIPE FOR WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)

Pa.R.C.P. 3180-3183

WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

vs.

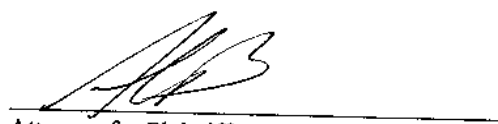
TRACI N. LAPAGLIA  
JUSTIN R. BOYLES

COURT OF COMMON PLEAS  
CIVIL DIVISION  
NO. 2009-CV-1253  
COLUMBIA COUNTY

To the PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due	\$255,206.03
Additional Fees and Costs	\$2,307.50
Interest from 09/25/2009 to Date of Sale @ \$41.95 Per diem	\$_____ 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. 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

Note: Please attach description of Property.

PHS # 208206

## LEGAL DESCRIPTION

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Premises being: 6 EILEENS WAY, BLOOMSBURG, PA 17815-8314

Tax Parcel # 18-02-055-18,000

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

TD BANK, N.A.  
PHILADELPHIA, PA 19148

3-180/350

CHECK NO  
873685

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

VOID

Pay ONE THOUSAND THREE HUNDRED FIFTY AND 00/100 DOLLARS

VOID after 180 days

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

*Travis S. Hallinan*

⑈873685⑈ ⑆036001808⑆36 150866 6⑈