Mount

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

CHASE HOME FINANCE LLC, S/B/M TO CHASE MORTGAGE COMPANY 3415 VISION DRIVE COLUMBUS, OH 43219

CIVIL DIVISION

NO. 2006-CV-79

Plaintiff

v. LARRY L. HANEY KATHRYN E. HANEY 1122 1<sup>ST</sup> AVENUE BERWICK, PA 18603

Defendants

ORDER

AND NOW, this

14 day of

, 2009, upon consideration of

Plaintiff's Motion to Set Aside Sheriff's Sale and Defendant's Response thereto, if any, it is hereby:

ORDERED and DECREED that Plaintiff's Motion is granted; and

ORDERED and DECREED that the May 27, 2009 Sheriff's sale of the property at 1122 1<sup>ST</sup> Avenue, Berwick, PA 18603 is hereby set aside and the Sheriff is hereby directed to stay the Writ of Execution and return it to the Office of the Prothonotary.

BY THE COURT:

J.

### SHERIFF'S SALE COST SHEET

ADVERTISING SALE (NEWSPAPER) \$15.00  MILEAGE \$
DOCKET/RETURN  SERVICE PER DEF.  LEVY (PER PARCEL  MAILING COSTS  ADVERTISING SALE BILLS & COPIES  ADVERTISING SALE (NEWSPAPER)  MILEAGE  POSTING HANDBILL  CRYING/ADJOURN SALE  S15.00  SHERIFF'S DEED  TRANSFER TAX FORM  DISTRIBUTION FORM  COPIES  NOTARY  TOTAL ************************************
SERVICE PER DEF.  LEVY (PER PARCEL  MAILING COSTS  ADVERTISING SALE BILLS & COPIES  ADVERTISING SALE (NEWSPAPER)  MILEAGE  POSTING HANDBILL  CRYING/ADJOURN SALE  S15.00  SHERIFF'S DEED  TRANSFER TAX FORM  DISTRIBUTION FORM  COPIES  NOTARY  TOTAL ************************************
LEVY (PER PARCEL  MAILING COSTS  ADVERTISING SALE BILLS & COPIES  ADVERTISING SALE (NEWSPAPER)  MILEAGE  POSTING HANDBILL  CRYING/ADJOURN SALE  S10.00  SHERIFF'S DEED  TRANSFER TAX FORM DISTRIBUTION FORM  COPIES  NOTARY  TOTAL ************************************
MAILING COSTS  ADVERTISING SALE BILLS & COPIES  ADVERTISING SALE (NEWSPAPER)  MILEAGE  POSTING HANDBILL  CRYING/ADJOURN SALE  S15.00  SHERIFF'S DEED  TRANSFER TAX FORM DISTRIBUTION FORM  COPIES  NOTARY  TOTAL ************************************
ADVERTISING SALE BILLS & COPIES ADVERTISING SALE (NEWSPAPER) MILEAGE POSTING HANDBILL CRYING/ADJOURN SALE S10.00 SHERIFF'S DEED S35.00 TRANSFER TAX FORM DISTRIBUTION FORM COPIES NOTARY TOTAL ************************************
ADVERTISING SALE (NEWSPAPER) \$15.00  MILEAGE \$
MILEAGE  POSTING HANDBILL  \$15.00  CRYING/ADJOURN SALE  \$10.00  SHERIFF'S DEED  \$35.00  TRANSFER TAX FORM  DISTRIBUTION FORM  \$25.00  COPIES  NOTARY  TOTAL ************************************
POSTING HANDBILL \$15.00  CRYING/ADJOURN SALE \$10.00  SHERIFF'S DEED \$35.00  TRANSFER TAX FORM \$25.00  DISTRIBUTION FORM \$25.00  COPIES \$\sqrt{5.60}\$  NOTARY \$\sqrt{5.60}\$  WEB POSTING \$150.00  PRESS ENTERPRISE INC. \$\sqrt{6.00}\$
CRYING/ADJOURN SALE \$10.00  SHERIFF'S DEED \$35.00  TRANSFER TAX FORM \$25.00  DISTRIBUTION FORM \$25.00  COPIES \$\sum_{15}\cdot \infty\$  TOTAL ************************************
SHERIFF'S DEED       \$35.00         TRANSFER TAX FORM       \$25.00         DISTRIBUTION FORM       \$25.00         COPIES       \$
TRANSFER TAX FORM \$25.00  DISTRIBUTION FORM \$25.00  COPIES \$ \$ 5.50  NOTARY \$ 150.00  WEB POSTING \$150.00  PRESS ENTERPRISE INC. \$ 7.60
DISTRIBUTION FORM \$25:00  COPIES \$ \$ 5.50  NOTARY \$  TOTAL ************************************
COPIES NOTARY  ***********  ***********  **********
NOTARY  *****************  WEB POSTING  PRESS ENTERPRISE INC.  \$ 150.00  \$ 150.00
WEB POSTING \$150.00 PRESS ENTERPRISE INC. \$736
WEB POSTING \$150.00 PRESS ENTERPRISE INC. \$736
PRESS ENTERPRISE INC. \$ 700 / 4
PRESS ENTERPRISE INC. \$ 7,24
SOLICITOR'S SERVICES \$75.00
SOLICITOR'S SERVICES \$75:00- TOTAL ********** \$ 8 76,72
PROTHONOTARY (NOTARY) \$10.00
RECORDER OF DEEDS \$ TOTAL *************** \$
TOTAL ************************************
REAL ESTATE TAXES:
BORO, TWP & COUNTY 20 \$
SCHOOL DIST. 20 \$
DELINQUENT 20 \$
DELINQUENT 20 \$ TOTAL ************ \$ \$
MUNICIPAL FEES DUE:
WATER 20 \$
SEWER 20 \$ WATER 20 \$ TOTAL **************
SURCHARGE FEE (DSTE) \$\frac{12600}{2000}
MISC \$
MISC \$
TOTAL *********** \$
TOTAL COSTS (OPENING BID) \$ / 2000

## SHERIFF'S SALE COST SHEET

Chase Home Finance NO. 50-09 ED NO. 79-06	VS. / a 114	+ Dam	Mrs. Jan	NeV
NO. 50-09 ED NO. 79-06	JD DATE/TIN	ME OF SALE	1000	<del>7</del> 0700
	_	3: <del></del>		_ ' -
DOCKET/RETURN	\$15.00			
SERVICE PER DEF.	\$ 165,00			
LEVY (PER PARCEL	\$15.00	-		
MAILING COSTS	\$ 270			
ADVERTISING SALE BILLS & COPIE	S \$17.50	-		
ADVERTISING SALE (NEWSPAPER)	\$15.00			
MILEAGE	\$ 24,00			
POSTING HANDBILL	\$15.00	-		
CRYING/ADJOURN SALE	\$10.00			
SHERIFF'S DEED	\$35.00			
TRANSFER TAX FORM	\$25.00			
DISTRIBUTION FORM	\$25.00			
COPIES	\$ 5,50			
NOTARY	S 15.00			
TOTAL ******	*******	\$ 4/200		
			-	
WEB POSTING	\$150.00			
PRESS ENTERPRISE INC.	s_725//2			
SOLICITOR'S SERVICES	\$75.00	_		
TOTAL ******	******	\$ 95/12		
		<u> </u>	-	
PROTHONOTARY (NOTARY)	\$10.00			
RECORDER OF DEEDS	s 41,50			
RECORDER OF DEEDS  TOTAL *********	****	\$ 5450		
			-	
REAL ESTATE TAXES:				
BORO, TWP & COUNTY 20	\$			
SCHOOL DIST. 20	S			
DELINQUENT 20	\$ 5,00			
TOTAL *******	*****	s Jaco		
MUNICIPAL FEES DUE:				
SEWER 20	\$ 449,65			
WATER 20	\$			
SEWER 20 WATER 20 TOTAL ********	****	s 469,65	. <del>"</del>	
SURCHARGE FEE (DSTE)		\$ 170,00		
MISC.	\$			
	\$			
TOTAL ******	*******	\$		
TOTAL COSTS (O	PENING BID)		s 2006 3	e

#### **Timothy Chamberlain**

From: Nora Ferrer [nora.ferrer@fedphe.com]

Sent: Thursday, May 28, 2009 10:47 AM

To: Timothy Chamberlain

Subject: HANEY, Larry #2006-CV-79

Hi Sheriff Chamberlain, please disregard deeding instructions for the above file. We are going to file a motion to rescind the sale. Thanks

Yours truly, Nora Ferrer

215-320-0007, ext. 1477

#### PHELAN . ALLINAN & 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

Nora Ferrer Legal Assistant, ext.1477

Representing Lenders in Pennsylvania and New Jersey

May 27, 2009

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

Re:

Larry L. Haney & Kathryn E. Haney

1122 1st Avenue Berwick, PA 18603 No. 2006-CV-79

Dear Sir or Madam:

In reference to the above captioned property knocked-down to me Daniel G. Schmieg, as "attorney-on-the-writ," please issue the Sheriff Deed into, Chase Home Finance LLC, s/b/m to Chase Mortgage Company, 3415 Vision Drive, Columbus, OH 43219.

Please send a copy of the Deed via facsimile, and record the original as soon as possible.

In addition, please find enclosed two transfer tax affidavits and two stamped self-addressed envelopes for your convenience.

Thank you in advance for your cooperation in this matter.

Yours truly,

Nora Ferrer

Enclosure

cc: Chase Home Finance, LLC

Account No. 129068

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

#### REALTY TRANSFER TAX STATEMENT OF VALUE

See Reverse for Instructions

REC	ADER'S USE ONLY
State Tax Paid	<u></u>
Book Number	· · · · · · · · · · · · · · · · · · ·
Page Number	
Date Recorded	

A CORRESPO	NDENT – All inc	iuiries may be	attach additional sheet(s).  directed to the follow	ing parage		
I VARIA.		1	Telephone Number:	ing person;		
PHELAN HALLINAN & SCI	IMIEG, LLP	Suite 1400	Area Code ( 215 )	563-7000		
Street Address	. 514-11	City	State	Zip Code		
One Penn Center at Suburbar 617 JFK Blvd,	i Station,	Philadelphia	PA	19103		
·	DAMA	Date of Acceptance		··· <u>-</u>		
	DATA	Date of Acceptance	of Document			
Grantor(s)/Lessor(s)		Grantee(s)/Lessee(s)				
Office of the Sheriff		CHASE HOME COMPANY	FINANCE LLC, S/B/M TO CHA	ASE MORTGAGE		
treet Address	· <del>·</del>	Street Address		<u></u>		
Columbia County Courti	house	3415 Vision Dri	ive			
<u> </u>						
City Stat	e Zip Code	City	State	Zip Cod		
West Main Street		Columbus	ОН	43219		
PROPERTY	LOCATION					
treet Address	10/03	City, Township, Bor				
122 1st Avenue, Berwick, PA	School District	Berwick Borou				
COLUMBIA	Berwick Borough		Tax Parcel Number 04 0022040 000			
VALUATION D			04 0022040 000			
Actual Cash Consideration	2. Other Consideration	<u></u>	3. Total Consideration			
2,049.46	+ -0-		= \$2,049.46			
County Assessed Value	5. Common Level Ratio	Factor	factor 6. Fair Market Value			
19,457.00	<u>x 3.76</u>		= \$73,158.32			
EXEMPTIO						
a. Amount of Exemption Claimed 100%	1b. Percentage of Inter 100%	est Conveyed	1c. Percentage of Grantor's Interest C	onveyed		
2007	10070		100 %			
Check Appropriate Box Below for	Exemption Claimed					
Will or intestate succession	···					
		(Name of	Decedant) (Estate File	Number)		
Transfer to Industrial Developme	- ,					
Transfer to a Trust. (Attach comp	olete copy of trust agreem	ent identifying all bene.	ficiaries.)			
Transfer between principal and a	gent/straw party. (Attach	complete copy of agenc	cy/straw party agreement.)			
Transfers to the Commonwealth,	the United States and Ins	trumentalities by eift, d	edication condemnation or in lieu of	condemnation		
(if condemnation or in lieu o	f condemnation, attach	a copy of resolution.	)	oudellisation,		
Transfer from mongagor to a hol	der of a mortgage in defac	ult. (Attach copy of Mo	ortgage and note/Assignment.)			
(if condemnation or in lieu of co	ndemnation, attach copy	of resolution.)				
Corrective or confirmatory deed.	(Attach complete copy of	the prior deed being co	rrected or confirmed.)			
Statutory corporate consolidat						
Other (Please explain exemption			•			
				<del></del>		
dan Banalista et a servicio		·				
der Penalties of law, I declare the wledge and belief, it is true, corr	at I have examined this S	Statement, including a	ccompanying information, and to th	e best of my		
nature of Correspondent or Responsi	ble Party		l no	fo:		
Nora M. Ferrer	· 1/15	۱	Da	-12 1 x		

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

RECORDER'S REFUSAL TO RECORD THE DEED.

#### REALTY TRANSFER TAX STATEMENT OF VALUE

See Reverse for Instructions

REC	DER'S USE ONLY
State Tax Paid	
Book Number	
Page Number	<u>.</u>
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

based on: (1) family relationship or (	2) public utility easemen	t. If more space is needed,	attach additional sheet(s).	·		
A CORRESPO	NDENT – All in	iquiries may be	directed to the follow	ing person:		
Name PHELAN HALLINAN & SCH			Telephone Number:			
Street Address	mileo, CLA	Suite 1400	Area Code ( 215 ) State			
One Penn Center at Suburban	Station,	Philadelphia	PA	Zip Code 19103		
1617 JFK Blvd.			- 17	19103		
TRANSFER I	DATA	Date of Acceptance	of Document			
Grantor(s)/Lessor(s)		Grantee(s)/Lcssee(s)				
Office of the Sheriff		CHASE HOME COMPANY	FINANCE LLC, S/B/M TO CH/	ASE MORTGAGE		
Street Address		Street Address				
Columbia County Courtl	iouse	3415 Vision Dr.	ive			
City State	7 in Code	634	-			
West Main Street	Zip Code	City Columbus	State	Zip Cod		
		Columbus	ОН	43219		
PROPERTY 1	LOCATION			<u> </u>		
122 1st Avenue , Berwick, PA	18603	City, Township, Bor Berwick Borou				
County	School District	Delwick Borou	Tax Parcel Number	·		
COLUMBIA	Berwick Borougl	1	04 0022040 000			
VALUATION D	ATA					
. Actual Cash Consideration	2. Other Consideration	π	3. Total Consideration	· <del></del> -		
2,049.46	+ -0-		= \$2,049.46			
County Assessed Value	5. Common Level Ra	tio Factor				
19,457.00	x 3.76		= \$73,158.32			
EXEMPTIO						
a. Amount of Exemption Claimed 100%	1b. Percentage of Int 100%	crest Conveyed	1c. Percentage of Grantor's Interest C	onveyed		
Check Appropriate Box Below for	Exemption Claimed			<u>-</u>		
Will or intestate succession	• • • • • • • • • • • • • • • • • • • •					
	*****	(Name of	Decedant) (Estate File	Number)		
Transfer to Industrial Developme	ent Agency.	•	(25kke i iio	( and the		
Transfer to a Trust. (Attach comp		ment identifying all bene	ficiarias \			
Transfer between principal and a						
(if condemnation or in lieu of	the United States and it from from the condemnation, attack	nstrumentalities by gift, d	ledication, condemnation or in lieu of	condemnation.		
Transfer from mortgagor to a hole						
(If condemnation or in lieu of con	ndemnation, attach copy	y of resolution.)	riguge and note Assignment.)			
Corrective or confirmatory deed.	(Attach complete copy	of the prior deed being co	rrected or confirmed.)			
Statutory corporate consolidati						
Other (Please explain exemptio	n claimed, if other tha	n listed above.				
	·					
der Penalties of law, I declare that wledge and belief, it is true, corre	it I have examined this	s Statement, including a	ccompanying information, and to th	e best of my		
gnature of Correspondent or Responsi	ble Party		- no	ite:		
Nora M. Ferrer	$\gamma$	$\alpha$ $\log \lambda$ .	02			
	, , ,	The NA LIVIN B	1	4 1 1		

RECORD AND RET**URN TO** LAW OFFICES FRA**NK C** BAKER 5969 COLOMBIA B**LVO** BLOOMS-UKG, FA **17815**  BEVERLY J. MICHAEL
REGISTER AND RECORDER
COLUMBIA COUNTY
PENNSILVANIA

INSTRUMENT MUNUER
200100857
RECORDEN
31, 2001
3=22=29 FM

RECORDING FEES - \$23.00
RECORDER
COUNTY THPROVERENT \$1.00
FUND
RECORDER HOUSING \$12.50
AFFORDABLE HOUSING \$12.50
AFFORDABLE HOUSING \$12.50
AFFORDABLE HOUSING \$1.55

Parcel Number:

[Space Above This Line For Recording Data] -

Commonwealth of Pennsylvania

MORTGAGE

FHA Case No.

441-6446126-703-203

LOAN ID # 6448357

THIS MORTGAGE ("Security Instrument") is given on JANUARY 24TH, 2001 , The Mortgagor is LARRY L. HANEY AND KATHRYN E. HANEY, HUBBAND AND WIFE

("Borrower"). This Security Instrument is given to FOUNDATION FUNDING GROUP, INC. , which is organized and existing under the laws of THE STATE OF NEW JERSEY , and whose address is 3627 W. WATERS AVENUE, SUITE 800, TAMPA, FL 33614 ("Lender"). Borrower owes Lender the principal sum of SEVENTY THOUSAND THREE HUNDRED FIFTY AND NO/100- ----- Dollars (U.S. \$ 70,350.00 ). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on FEBRUARY 1ST, 2031. Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower does hereby mortgage, grant and convey to the Lender the following described property located in COLUMBIA County, Pennsylvania:

SEE EXHIBIT 'A' ATTACHED HERSTO AND INCORPORATED HERSIN BY REFERENCE

TRUSTEE\_FOR FOUNDATION FUNDING GROUP, INC. D/B/A GREATSTONE MORTGAGE:
"STEVEN A. COHN"
3627 West Waters Avenue, Ste. 800

Tampa, FL 33614.

FHA Permsylvania Mortgage - 4/96 PAFM1G - 06192000

Page 1 of 8

Initials: 4H + KH

SCHEDULE A
PROPERTY DESCRIPTION

ALL THAT CERTAIN piece, parcel or plot of land being located on the southerly side of First Avenue, in the Borough of Berwick, County of Columbia and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the southerly side of First Avenue, in the Borough of Berwick, at the corner of Lot No. 519; THENCE along First Avenue in an easterly direction 45 feet to the corner of Lot No. 517; THENCE along Lot No. 517 in a southerly direction 160 feet to a fifteen foot alley; THENCE along the same in a westerly direction 45 feet to the corner of Lot No. 519; THENCE along the same in a northerly direction 160 feet to the southerly side of First Avenue, the point or place of BEGINNING.

BEING LOT NO. 518 in Berwick Land and Improvement Company's Addition to Berwick.

EXHIBIT A

lhaney,re

GOAM TO # 3448357

-91

BY SIGNING BELOW. Bostowar accepts and private the forms contained in this Scoreity Instrument and in any rider(s) executed by Borrower and recorded with it. Witnesses: (Seal) -Borrower (Seal) -Borrower (Seal) -Borrower (Seal) -Borrower (Séal) -Borrower (Seal) -Borrower Certificate of Residence do hereby certify that the correct address of the within-named Lender is FOUNDATION FUNDING GROUP Witness my hand this 24TH day of JANUARY, -Agent of Lender COMMONWEALTH OF PENNSYLVANIA, COLUMBIA County 55: On this, \_ 24TH day of JANUARY, before me, the undersigned officer, personally appeared LARRY L. HANEY AND KATHRYN B. HANEY known to me (or satisfactorily proven) to be the person(s) whose name(s) ARE subscribed to the within instrument and acknowledged that THEY executed the same for the purposes herein contained. IN WITNESS WHEREOF, I hereupto set my hand and official seal. secommission Expires: Title of Officer Page 8 of 8 www.MortgageBankingSystems.com Notariel Seal Kathleen Baker, Notary Public South Centre Twp., Columbia County My Commission Expires Feb. 26, 2001

mber, Pennsylvania Association of Notacles

RECORD AND RETURN TO LAW OFFICES FRANK C BAKER 6009 COLAIMBIA BLVD BLOOMSBURG, PA 17815

When Recorded Return To: COUNTY RECORDER SERVICES, INC. 900 E. PALMER AVE., STE. 8 GLENDALE, CA 91205

> Greatstone Loan # 6448357 CENLAR Loan # 0011077906 Chase Loan # 1952053280

#### ASSIGNMENT OF MORTGAGE

LOAN ID # 6448357

For Value Received, the undersigned holder of a Mortgage (herein "Assignor") whose address is 3627 W. WATERS AVENUE, SUITE 800, TAMPA, PL 33614 does hereby grant, sell, assign, transfer and convey, unto CHASE MORTGAGE COMPANY

, a corporation organized and existing under the lows of the STATE OF OHIO (herein "Assignee"), whose address is 415 VISION DRIVE, COLUMBUS, OE 43219 , a certain Mortgage dated JANUARY 24TH, 2001 , made and executed by

LARRY L. HANEY AND KATHRYN E. HANEY, MUSHAND AND WIFE

to said in favor of POUNDATION FUNDING GROUP, INC. d ba Great-Stone Mortgage upon the following described property situated in COLUMBIA County, Commonwealth of PA .

SES EXHIBIT 'A' ATTACHED HERBTO AND INCORPORATED HERBIN BY REFERENCE

200100857

TAX ID# 04 C022040 000

such Mortgage having been given to secure payment of \$ 70,350.00 which Mortgage is of

(Original Principal Amount) record in Book, Volume, or Libor No.

, at page of the Records of County,

Perusylvania Assignment (09/96) PANANI. CIT2 - 08202000 Page 1 of 2 www.MortgogogankingSystems.com

Exhibit A

## SCHEDULE A PROPERTY DESCRIPTION: -

ALL THAT CERTAIN piece, parcel or plot of land being located on the southerly side of First Avenue, in the Borough of Berwick, County of Columbia and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the southerly side of First Avenue, in the Borough of Betwick, at the corner of Lot No. 519; THENCE along First Avenue in an easterly direction 45 feet to the corner of Lot No. 517; THENCE along Lot No. 517 in a southerly direction 160 feet to a fifteen foot alley; THENCE along the same in a westerly direction 45 feet to the corner of Lot No. 519; THENCE along the same in a northerly direction 160 feet to the southerly side of First Avenue, the point or place of BEGINNING.

BEING LOT NO. 518 in Berwick Land and Improvement Company's Addition to Berwick.

thaney.re

LOAW ID # 6448357

Commonwealth of Pennsylvania, together with the note(s) and obligations therein described, the money due and to become due thereon with interest, and all rights accrued or to accrue under such Mortgage.

TO HAVE AND TO HOLD, the same unto Assigner, its successor and maigns, forever, subject only to the terms and conditions of the above-described Mortgage.

IN WITNESS WHEREOF, the undersigned Assignor has executed this Assignment of Mortgage on JANUARY 24TH, 2001

	WATER AND
Witness BRENDA PICKNEY	Assignor Greaterone maring a
	22 -
Winds JORGE SOCORRO	By: Steven A. Comm In: Chief Operating Officer
(SEAL)	ATTESTED
	by Corey G. Brower IG: PRESIDENT
Commonwealth of FLORIDA	
County of MILLSBOROUSH	) \$5; }
CATTOOK AND CORDS G. PROWER, PRESIDEN	onally appeared STEVEN A. COHN, CHIEF OPERATING
Are one pages of serestractols, expression to be the persons	(5) whose name(s) is/are subscribed to the within
WITNESS my band and official seal.	
(SEAL)	Longs Socono Longs Tally Company Express Longs Tally Longs Longs Longs Longs Tally Longs Longs Longs Longs Tally Longs Longs Longs Longs Socons Longs Lo
My commission expires:	A THE LEWIS HAT BASICAL LAT

Page 2 of 2

Print Job: TAMMY - 01/06/2006 12:37:11 PM

PANAN2.C1T1 - 06202000

COLUMBIA COUNTY

www.MortgageBookingSystems.com

F. NO. :5466533

Jan. 06 106 05:24PM P17

ASSIGNMENT OF MORTGAGE

BETWEEN: FOUNDATION FUNDING GROUP, INC.

AND

CHASE MORTGAGE COMPANY

Mail To:

COUNTY RECORDER SERVICES, inc. 900 E. Pelmer Ave. #8 Glendate, CA 91205

March 1, 2002 Loan #: 21011248

CRS#: 503

C

Document prepared by: Shawn Company of County Recorder Services, Inc., 900 E. Palmer Ave. No. 8, Glendale, CA 91205



1617 J.F.K. Boulevard Suite 1400 Philadelphia, PA 19103-1814 (215) 563-7000 Fax: (215) 563-4491

Email: sheetal.shahjani@fedphe.com

Sheetal R. Shah-Jani, Esquire Litigation Department 2 July 1, 2009 Representing Lenders in Pennsylvania & New Jersey\*

Office of the Prothonotary 35 W. Main Street Bloomsburg, PA 17815

RE: Chase Home Finance LLC, S/B/M to Chase Mortgage Company v. Larry L. Haney Columbia County CCP, No. 2006-CV-79

Dear Sir/Madam:

Enclosed please find Plaintiff's Motion to Set Aside Sheriff's Sale, Brief in Support thereof, proposed Order, Certification of Service and Verification regarding the above-referenced matter. Please file same and return a time-stamped copy of the first page of the Motion, Brief and the Certification in the enclosed self-addressed stamped envelope. Thank you for your anticipated cooperation.

Very truly yours.

Shectal R. Shah Jani, Esquire

cnclosures

cc:

Larry L. Hancy

Kathryn E. Haney

Sheriff of Columbia County

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

PHELAN HALLINAN & SCHMIEG, LLP By: Sheetal R. Shah-Jani, Esquire Identification No. 81760 One Penn Center at Suburban Station 1617 J.F.K. Blvd., Suite 1400 Philadelphia, PA 19103-1814 (215) 563-7000

Attorney for Plaintiff

CHASE HOME FINANCE LLC, S/B/M TO CHASE MORTGAGE COMPANY 3415 VISION DRIVE COLUMBUS, OH 43219

COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 2006-CV-79

Plaintiff

COLUMBIA COUNTY

v. LARRY L. HANEY KATHRYN E. HANEY 1122 1<sup>ST</sup> AVENUE BERWICK, PA 18603

Defendants

#### PLAINTIFF'S MOTION TO SET ASIDE SHERIFF'S SALE

Plaintiff, Chase Home Finance LLC, S/B/M to Chase Mortgage Company, by and through its attorneys, Phelan Hallinan & Schmieg, LLP, respectfully requests that this Honorable Court enter an Order setting aside the May 15,2009 Sheriff's sale of the property located at 1122 1<sup>ST</sup> Avenue, Berwick, PA 18603, and in support thereof avers as follows:

1. An <u>in rem</u> judgment was entered in favor of Plaintiff in the above-referenced mortgage foreclosure action on March 10, 2006.

Pursuant to a Writ of Execution issued on March 4, 2009 to enforce the judgment, 2. the mortgaged premises was sold to Plaintiff at the Adams County Sheriff's sale held on May 27, 2009.

3. However, Plaintiff requested that its counsel have the May 27, 2009 Sheriff's sale set aside, due to Defendants' entering into a forbearance agreement to cure the arrears. Plaintiff advised its Counsel to place the file on hold due to the forbearance agreement.

4. Equity mandates that the sale be set-aside since the Defendants are actively working with Plaintiff to cure the default on the mortgage loan.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an Order setting aside the May 27,2009 Sheriff's sale.

> Respectfully submitted, PHELAN HALLINAN & SCHMIEG, LLP

Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP By: Sheetal R. Shah-Jani, Esquire Identification No. 81760 One Penn Center at Suburban Station 1617 J.F.K. Blvd., Suite 1400 Philadelphia, PA 19103-1814 (215) 563-7000

Attorney for Plaintiff

CHASE HOME FINANCE LLC, S/B/M TO CHASE MORTGAGE COMPANY 3415 VISION DRIVE COLUMBUS, OH 43219

COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 2006-CV-79

Plaintiff

COLUMBIA COUNTY

v. LARRY L. HANEY KATHRYN E. HANEY 1122 1<sup>ST</sup> AVENUE BERWICK, PA 18603

Defendants

#### PLAINTIFF'S BRIEF IN SUPPORT OF ITS MOTION TO SET ASIDE SHERIFF'S SALE

#### I. <u>FACTUAL BACKGROUND</u>

An <u>in rem</u> judgment was entered in favor of Plaintiff in the above-referenced mortgage foreclosure action on March 10, 2006. Pursuant to a Writ of Execution issued on March 4, 2009 to enforce the judgment, the mortgaged premises was sold to Plaintiff at the Adams County Sheriff's sale held on May 27, 2009. However, Plaintiff requested that its counsel have the May 27, 2009 Sheriff's sale set aside, due to Defendants' entering into a forbearance agreement. Equity mandates that the sale be set-aside since the Defendants are actively working with Plaintiff to cure the default on the mortgage loan.

#### II. LEGAL AUTHORITY

#### A. Setting Aside a Sheriff's Sale

Pennsylvania Rule of Civil Procedure 3132 provides the Court with the authority to set aside a Sheriff's sale upon petition of any party, prior to the delivery of the Deed, upon proper cause shown. Merrill Lynch Mortg. Capital vs. Steele, 2004 Pa.Super. 341, 859 A.2d 788 (2004). Bornman v. Gordon, 363 Pa. Super. 607, 611 (1987). In the instant case, the Sheriff has not yet delivered the Deed. In its attached petition, Plaintiff has demonstrated proper cause to set aside the Sheriff's sale. Accordingly, the Court has the authority to set aside the instant Sheriff's sale. Setting aside the Sheriff's sale will not harm any party. Rather, it will benefit all interested parties.

#### B. Relief in Aid of Execution

Pa.R.C.P. 3118 is designed to give the court "broad discretion to provide relief in aid of execution". National Recovery Systems v. Pinto, 18 D. & C. 3d 684, 686 (Pa.Comp.Pl 1981). Specifically, the rule provides, inter alia:

- (a) On petition of the plaintiff, after notice and hearing, the court in which a judgment has been entered may, before or after the issuance of a writ of execution, enter an order against any party or person...
  - (3) directing the defendant or any other party or person to take such action as the court may direct to preserve collateral security for property of the defendant levied upon or attached, or any security interest levied upon or attached; . . . (6) granting such other relief as may be deemed necessary and appropriate. Pa.R.C.P. 3118(a).

The predicates for a petitioner to obtain supplementary relief in aid of execution of a judgment are (1) the existence of an underlying judgment; and (2) property of the debtor subject to execution. <u>Kaplan v. I. Kaplan Inc.</u>, 422 Pa. Super. 215, 619 A.2d 322 (1993). In this case, there is no question that an underlying judgment was entered in favor of the Plaintiff and against

the Defendant. Moreover, it is also clear that the mortgaged property was property of the Defendant and subject to attachment and execution. Therefore, the Plaintiff is entitled to invoke Rule 3118 in support of its motion, and the court has jurisdiction over this matter.

#### C. Equitable Principles

This Court has plenary power to administer equity according to well-settled principles of equity jurisprudence in cases under its jurisdiction. Cheval v. City of Philadelphia, 176 A. 779, 116 Pa. Super. 101 (1935). Moreover, it is well settled that Courts will lean to a liberal exercise of the equity power conferred upon them instead of encouraging technical niceties in the modes of procedure and forms of pleading. Gunnet v. Trout, 380 Pa. 504, 112 A.2d 333 (1955). This is certainly a case where the exercise of this Court's equity powers is appropriate and necessary. Plaintiff is requesting the entry of a court order setting aside its May 27, 2009 Sheriff sale due to the fact the Defendant entered into a forbearance plan with the Plaintiff.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an Order setting aside the May 27,2009 Sheriff's sale.

Respectfully submitted,

PHELAN HALLINAN & SCHMIEG, LLP

Date: 1209

Sheetal R. Shah-Jani Esquire
Attorney for Plaintiff

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

CHASE HOME FINANCE LLC, S/B/M TO CHASE MORTGAGE COMPANY 3415 VISION DRIVE COLUMBUS, OH 43219

CIVIL DIVISION

NO. 2006-CV-79

Plaintiff

v. LARRY L. HANEY KATHRYN E. HANEY 1122 1<sup>ST</sup> AVENUE BERWICK, PA 18603

Defendants

#### ORDER

AND NOW, this

day of

, 2009, upon consideration of

Plaintiff's Motion to Set Aside Sheriff's Sale and Defendant's Response thereto, if any, it is hereby:

ORDERED and DECREED that Plaintiff's Motion is granted; and

ORDERED and DECREED that the May 27, 2009 Sheriff's sale of the property at 1122 1<sup>ST</sup> Avenue, Berwick, PA 18603 is hereby set aside and the Sheriff is hereby directed to stay the Writ of Execution and return it to the Office of the Prothonotary.

BY THE COURT:	
T	

PHELAN HALLINAN & SCHMIEG, LLP
By: Sheetal R. Shah Jani, Esquira

By: Sheetal R. Shah-Jani, Esquire Identification No. 81760

One Penn Center at Suburban Station

1617 J.F.K. Blvd., Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

CHASE HOME FINANCE LLC, S/B/M COURT OF COMMON PLEAS

Attorney for Plaintiff

NO. 2006-CV-79

TO CHASE MORTGAGE COMPANY
3415 VISION DRIVE CIVIL DIVISION

COLUMBUS, OH 43219

Plaintiff

v. COLUMBIA COUNTY

LARRY L. HANEY KATHRYN E. HANEY 1122 1<sup>ST</sup> AVENUE BERWICK, PA 18603

Defendants

#### **CERTIFICATION OF SERVICE**

I hereby certify a true and correct copy of Plaintiff's Motion to Set Aside Sheriff's Sale, Brief in Support thereof, proposed Order and Verification was served by regular mail on the following parties on the date indicated below:

Larry L. Haney Kathryn E. Haney Sheriff of Columbia County 1122 1st Avenue 35 W. Main Street Berwick, PA 18603 Berwick, PA 18603 Bloomsburg, PA 17815

Date: 7209

By: Sheetal R. Shah-Jan, Esquire

Attorney for Plaintiff

#### **VERIFICATION**

Sheetal R. Shah-Jani, Esquire, hereby states that he is the attorney for the Plaintiff in this action, that he is authorized to make this verification, and that the statements made in the foregoing Motion to Set Aside Sheriff's Sale are true and correct to the best of his knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsifications to authorities.

PHELAN HALLINAN & SCHMIEG, LLP

Date:  $7/\sqrt{8^{-6}}$ 

Sheetal R. Shah-Jani, Esquire

Attorney for Plaintiff

## COLUMBIA COUNTY SHERIFF'S OFFICE

SHERIFF'S REAL ESTATE FINAL COST SHEET

Chase Home Finance Vs	Larry & Ko	Hirya Haney
NO. 50-07 ED	NO. 99-0-6	
DATE/TIME OF SALE: 2007	0900	
BID PRICE (INCLUDES COST)	s 7009,27	
POUNDAGE - 2% OF BID	s 40,19	
TRANSFER TAX – 2% OF FAIR MKT	\$	
MISC. COSTS	\$	
TOTAL AMOUNT NEEDED TO PURCH	ASE	s 2049.46
PURCHASER(S):		
ADDRESS:		
NAMES(S) ON DEED:	45	
PURCHASER(S) SIGNATURE(S):	WALRUZZ	, 11 S
		<i>i</i>
TOTAL DUE:		s_2049,46
LESS DEPOSIT:		s /350,00
DOWN PAYMENT:		\$
TOTAL DUE IN 8 D	OAYS	s 699, 46

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:

LARRY L. HANEY

A/K/A LARRY LEE FLANEY

KATHRYN E. HANEY

A/K/A KATHRYN ELAINE HANEY

Debtors

CHASE HOME FINANCE LLC, S/B/M TO CHASE

MORTGAGE COMPANY

: 11 U.S.C. §362

Bk. No. 5:07-bk-50453 JJT

Chapter No. 13

Movant

٧.

LARRY L. HANEY A/K/A LARRY LEE HANEY KATHRYN E. HANEY A/K/A KATHRYN ELAINE HANEY

Respondents

#### ORDER MODIFYING SECTION 362 AUTOMATIC STAY

Upon Consideration of the Motion of CHASE HOME FINANCE LLC, S/B/M TO CHASE MORTGAGE COMPANY (Movant), and after Notice of Default and the filing of a Certification of Default, it is:

ORDERED AND DECREED THAT: The Automatic stay of all proceedings, as provided by 11 U.S.C. 362 is modified with respect to premises, 1122 1ST AVENUE, BERWICK, PA 18603-1702, as more fully set forth in the legal description attached to said mortgage, as to allow the Movant to foreclose on its mortgage and allow the parchaser of said premises at Sheriff's Sale (or purchaser's assignee) to take any legal or consensual action for enforcement of its right to possession of, or title to, said premises, and it is further

ORDERED AND DECREED THAT: Rule 4001(a)(3) is not applicable and CHASE HOME FINANCE LLC, S/B/M TO CHASE MORTGAGE COMPANY may immediately enforce and implement this Order granting Relief from the Automatic Stay.

o number, parametricy and

(BC)

This document is electronically signed and filed on the same date.

Dated: January 23, 2009

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:

LARRY L. HANEY

A/K/A LARRY LEE HANEY

Bk. No. 5:07-bk-50453 JJT

KATHRYN E. HANEY

A/K/A KATHRYN ELAINE HANEY

Chapter No. 13

Debtors

CHASE HOME FINANCE LLC, S/B/M TO CHASE

MOLTGAGE COMPANY

11 U.S.C. §362

Movant

v.

:

LARRY L. HANEY

A/K/A LARRY LEE HANEY KATHRYN E. HANEY

A/K/A KATHRYN ELAINE HANEY

Respondents

#### ORDER MODIFYING SECTION 362 AUTOMATIC STAY

Upon Consideration of the Motion of CHASE HOME FINANCE LLC, S/B/M TO CHASE MORTGAGE COMPANY (Movant), and after Notice of Default and the filing of a Certification of Default, it is:

ORDERED AND DECREED THAT: The Automatic stay of all proceedings, as provided by 11 U.S.C. 362 is modified with respect to premises, 1122 IST AVENUE, BERWICK, PA 18603-1702, as more fully set forth in the legal description attached to said mortgage, as to allow the Movant to foreclose on its mortgage and allow the purchaser of said premises at Sheriff's Sale (or purchaser's assignee) to take any legal or consensual action for enforcement of its right to possession of, or title to, said premises; and it is further

ORDERED AND DECREED THAT: Rule 4001(a)(3) is not applicable and CHASE HOME FINANCE LLC, S/B/M TO CHASE MORTGAGE COMPANY may immediately enforce and implement this Order granting Relief from the Automatic Stay.

i. १६००**०६, ध्या**सरक्ष्य अध्यक्षः (BC)

This document is electronically signed and filed on the same date.

Dated: January 23, 2009

#### MILSTEAD & ASSOCIATES, LLC

WOODLAND FALLS CORPORATE PARK 220 LAKE DRIVE EAST, SUITE 301 CHERRY HILL, NJ 08002

> (856) 482-1400 fax: (856) 482-9190

#### FACSIMILE TRANSMITTAL SHEET FROM: Sheriff Chamberlain Greg Wilkins COMPANY: DATE Columbia County Sheriff's Office May 27, 2009 FAX NUMBER TOTAL NO. OF PAGES INCLUDING COVER: 570-389-5625 PHONE NUMBER: SENDER'S REFERENCE NUMBER: 570-389-5624 55.09902 RE: YOUR REFERENCE NUMBER: James A. Leckie 2009 CV 151 MF A follow-up copy $\square$ will $\square$ not be sent by mail.

#### Comments

Please accept this fax as authorization to postpone the sheriff's sale set for 5/27/09. Please reschedule the sale for 7/29/09 at 9:30 am.

Thank you for your attention in this matter.

Thanks,

Gregory Wilkins

#### IF THERE IS A PROBLEM WITH THIS TRANSMISSION PLEASE CALL (856) 482-1400

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INTENDED RECIPIENT(S) NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS LISTED ABOVE VIA UNITED STATES POSTAL SERVICE.

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 May 6, 13, 20, 2009 as printed and published; that the affiant is one of the officers or publisher or designated agent of the owner or publisher of said newspaper in which legal advertisement was published; that neither the affiant nor Press Enterprise is interested in the subject matter of said notice and advertisement and that all of the allegations in the foregoing statement as to time, place, and character of publication are true.

Sworn and subscribed to before	me this day of MA 2003
And now,	(Notary Public)  COMMONWEALTH OF PENNSYLVANIA  Notarial Seal  Dennis L. Ashenfelder, Notary Public Scott Twp., Columbia County Member, Panpsylvania Supers July 3, 2011  Member, Panpsylvania Frederick Management (Notary Public And County)  Member, Panpsylvania Frederick Management (Notary Public And County)  Member, Panpsylvania Frederick Management (Notary Public And County)  Nember, Panpsylvania Management (Notary Public And County)  Nember, Panpsylvania Management (Notary Public And County)  Nember, Panpsylvania (Notary Public And County)
	for publishing the foregoing notice, and the
fee for this affidavit have been paid i	in full.

- 9:00 AM KERRY & CHRISTOPHER LAUER—606 GREEN STREET BERWICK—04C-04-091 2007+ 2008 Taxe
- 9:00 AM TIMOTHY HUNTINGTON—217 ROBBINS RD BLOOMSBURG—26-02-003-05
- 9:00 AM LARRY & KATHRYN HANEY—1122 1<sup>ST</sup> AVENUE BERWICK—04C-002-04 None bkrpt?
- 9:00 AM FRANCIS & BETH ANN MCGADY—LOT #29 AKA 212 WEST 3RD ST. MIFFLINVILLE—23-05A-040 NONE
- 9:00 AM DOUGLAS BOWIE—455 SUMMERHILL RD BERWICK—07-03C-048 NONE
- 9:00 AM STEVE PADEN—300 BOWERS LANE BERWICK—04A-01-076 NONE
- 9:30 AM GRAYDON TAYLOR—8 ARC ROAD ORANGEVILLE—15-05-001 NONE
- 9:30 AM DONALD PURSEL, JR & DONALD PURSEL, III—355 E 5<sup>TH</sup> ST. BLOOMSBURG—05E-03-332 NONE STAYED TIL AUG 19 0900
- 9:30 AM ALLAN & HEATHER ANDREWS-511 MAINS STREET ORANGEVILLE-28-03-026 2007 + 2008 Taxe
- 9:30 AM JAMES LECKIE-807 WEST FRONT STREET BERWICK-04C-04-149 2008 Taxes
- 9:30 AM ROGER RESSEGUIE—256 THOMAS ROAD BLOOMSBURG—26-04-007 NONE STAYED TIL JUNE 24 0930
- 9:30 AM RUSSELL LEWIS—236 W. 3RD STREET BLOOMSBURG-05W-04-255-01 NONE
- 9:30 AM KELLY GREGORY & PATRICIA MENSCH—1026 LASALLE ST. BERWICK—04C-01-310 NONE
- 10:00 AM BONNIE & EDWARD STOGNIEF-3725 OLD BERWICK RD BLOOMSBURG-31-4C2-026 2008 Taxes STAYED TIL JUNE 24 1000
- 10:00 AM WADE & LINDA MILLER—242 LEONARD ST. BLOOMSBURG—05W-07-100 2007 + 2008 Taxes
  STAYED TIL AUG. 19 0900
- 10:00 AM HEIRS OF MEL GEARY—339 FROSTY VALLEY RD BLOOMSBURG—18-09-003-08 ZOOS TaxeS

Soll

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

CHASE HOME FINANCE LLC, S/B/M TO	;	Court of Common Pleas
CHASE MORTGAGE COMPANY Plaintiff	: :	Civil Division
vs.	:	COLUMBIA County
LARRY L. HANEY	:	COLOMBIA County
A/K/A LARRY LEE HANEY KATHRYN E. HANEY	:	No. 2006-CV-79
A/K/A KATHRYN ELAINE HANEY	;	

#### Defendants

AND NOW, this 7) (11), 2009 the Prothonotary is ORDERED to day of amend the in rem judgment and the Sheriff is ORDERED to amend the writ nunc pro tunc in this case as follows: Principal Balance \$64,338.99 Interest Through May 27, 2009 \$5,161.44 Per Dicm \$13.22 Late Charges \$53.10 Legal fees \$2,200.00 Cost of Suit and Title \$2,321.00 Sheriff's Sale Costs \$2,700.00 Property Inspections/ Property Preservation \$0.00 Appraisal/Brokers Price Opinion \$0.00 Mortgage Insurance Premium/ \$25.85 Private Mortgage Insurance Non Sufficient Funds Charge \$0.00 Suspense/Misc. Credits (\$0.00)Escrow Deficit \$153.76

TOTAL \$76,954.14

Plus interest from May 27, 2009 through the date of sale at six percent per annum.

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

Zing on the most income

BY THE COURT

J.

#### PHELAN HALLINAN & SCHMIEG

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

JOSEPH DEBARBERIE Legal Assistant, Ext. 1536

Representing Lenders in Pennsylvania and New Jersey

April 20, 2009

Office of the Prothonotary COLUMBIA County Courthouse

Re: CHASE HOME FINANCE LLC, S\B\M TO CHASE MORTGAGE COMPANY

VS.

LARRY L. HANEY and KATHRYN E. HANEY

NO: 2006-CV-79 PHS#: 129068

#### AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129

Dear Sir/Madam:

Enclosed please find an Affidavit of Service Pursuant to Rule 3129 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 is to be stayed or nostponed.\*\*\*

\*\*Property is listed for the MAY 27, 2009 Sheriff Sale\*\*

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

Very truly yours,

PHELAN HALLINAN & SCHMIEG

JOSEPH DEBARBERIE\, Legal Assistant

cc: Sheriff of COLUMBIA County

ATTN:

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

CHASE HOME FINANCE LLC, S\B\M TO CHASE

MORTGAGE COMPANY

Plaintiff,

v.

CIVIL DIVISION

LARRY L. HANEY

KATHRYN E. HANEY

Defendant(s)

COLUMBIA COUNTY

COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 2006-CV-79

#### **AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129**

COMMONWEALTH OF PENNSYLVANIA )
COUNTY OF COLUMBIA ) SS:

Plaintiff in the above action sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at: 1122 1ST AVENUE, BERWICK, PA 18603.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given to Lienholders 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 No. 2 (previously filed) and/or Amended Affidavit No. 2 on the date indicated. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

DANIEL G. SCHMIEG, PSONIEL Attorney for Plaintiff

Date: April 20, 2009

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.

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

Attorney for Plaintiff

CHASE HOME FINANCE LLC S/B/M TO CHASE

COLUMBIA COUNTY

MORTGAGE COMPANY

COURT OF COMMON PLEAS

3415 VISION DRIVE COLUMBUS, OH 43219

(215)563-7000

CIVIL DIVISION

NO. 2006-CV-79

Plaintiff,

LARRY L. HANEY

:

1122 1ST AVENUE BERWICK, PA 18603

ν.

:

KATHRYN E. HANEY 1122 IST AVENUE

BERWICK, PA 18603-0000

Defendant(s).

#### AFFIDAVIT PURSUANT TO RULE 3129.1

CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAGE COMPANY, Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at 1122 1ST AVENUE, BERWICK, PA 18603.

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

NAME

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

LARRY L. HANEY

1122 1ST AVENUE BERWICK, PA 18603

KATHRYN E. HANEY

1122 IST AVENUE

BERWICK, PA 18603-0000

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

NAME

LAST KNOWN ADDRESS (If address cannot be

reasonably ascertained, please so indicate.)

SAME AS ABOVE

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

NAME

LAST KNOWN ADDRESS (# address)

ME LAST KNOWN ADDRESS (If address cannot be

reasonably ascertained, please so indicate.)

FIRST SELECT, INC.

4460 ROSEWOOD DRIVE PLEASANTON, CA 94588 FIRST SELECT, INC. C/O VALERIE ROSENBLUTH 1

C/O VALERIE ROSENBLUTH 1 (K, ESQ. 25 EAST STATE STREET

DOYLESTOWN, PA 18901

OSI FUNDING CORP.

C/O D. APOTHAKER

1341 NORTH DELAWARE AVENUE, SUITE 405

PHILADELPHIA, PA 19125

OSI FUNDING CORP.

C/O DAVID J. APOTHAKER, ESQ. 520 FELLOWSHIP ROAD C306 MOUNT LAUREL, NJ 08054

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

NAME

LAST KNOWN ADDRESS (If address cannot be

reasonably ascertained, please so indicate.)

NONE

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

NAME

LAST KNOWN ADDRESS (If address cannot be

reasonably ascertained, please so 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

LAST KNOWN ADDRESS (If address cannot be

reasonably ascertained, please so indicate.)

NONE

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

NAME

LAST KNOWN ADDRESS (If address cannot be

reasonably ascertained, please so indicate.)

TENANT/OCCUPANT

1122 IST AVENUE BERWICK, PA 18603

DOMESTIC RELATIONS OF COLUMBIA COUNTY

COLUMBIA COUNTY COURTHOUSE

P.O. BOX 380

**BLOOMSBURG, PA 17815** 

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF WELFARE

P.O. BOX 2675

HARRISBURG, PA 17105

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

April 20, 2009

Date

Daniel G. Schmieg, Esquire

Attorney for Plaintiff

# SUPPORT TEAM

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

e Address Fee			O di Z WO S												TEAM 3/JVS	Postmaster, Per (Name of Receiving Employee)
Name of Addressee, Street, and Post Office	TENANT/OCCUPANT 1122 1ST AVENUE BERWICK, PA 18603	DOMESTIC RELATIONS OF COLUMBIA COUNTY COLUMBIA COUNTY COURTHOUSE P.O. BOX 380 BLOOMSBURG, PA 17815	COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE P.O. BOX 2675 HARRISBURG, PA 17105												RE:LARRY L. HANEY PHS #129068	Total Number of Pieces Postmaster, Per (Nam Received at Post Office Receiving Employee)
Line Article Number	1 ***** 1	2 **** C	3	4	5	9	7	8	6	10	11	12	13	14	15 R	Total Number of T

TEAM 5

r sender	FRILADELFRIM, FAX 19105-1614		SENT 4/20/09	TEAM 5 JED	SALEDA	SALE DATE 5/27/09
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	PHILADELPHIA, PA 19125					
ব	OSI FUNDING CORP.					
	C/O DAVID J. APOTHAKER, ESQ.	R, ESQ.				
	520 FELLOWSHIP ROAD C306	306				いたとう
	MOUNT LAUREL, NJ 08054	4				
2						A SERVICE
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5	RE:LARRY L. HANEY	PHS #129068.				
Total Number of Picces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)				

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

Name and Address Def Sender

### **MOTHY T. CHAMBERLAIN**



PHONE (570) 389-5622 SHERIFF OF COLUMBIA COUNTY COURT HOUSE - P.O. BOX 380 BLOOMSBURG, PA 17815 FAX: (570) 389-5625

24 HOUR PHONE (570) 784-6300

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

CHASE HOME FINANCE LLC

VS.

LARRY & KATHRYN HANEY

WRIT OF EXECUTION #50 OF 2009 ED

### POSTING OF PROPERTY

April 23, 2009 POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE PROPERTY OF LARRY & KATHRYN HANEY AT 1122 1<sup>ST</sup> AVENUE BERWICK COLUMBIA COUNTY PENNSYLVANIA. SAID POSTING PERFORMED BY COLUMBIA COUNTY SHERIFF TIMOTHY CHAMBERLAIN.

SO ANSWERS:

**DEPUTY SHERIFF** 

TIMOTHY T. CHAMBERLAIN

**SHERIFF** 

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 23<sup>RD</sup> DAY OF APRIL 2009

NOTARIAL SEAL SARAH J. HOWER, Notary Public Bloomsburg, Columbia County, PA My Commission Expires September 30, 2012

#### TIMOTHY T. CHAMBERLAIN



(570) 369-5622

24 HOUR PHONE

CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAGE COMPANY

Docket # 50ED2009

MORTGAGE FORECLOSURE

LARRY L. HANEY KATHRYN E. HANEY

### AFFIDAVIT OF SERVICE

NOW, THIS TUESDAY, MARCH 10, 2009, AT 5:10 PM, SERVED THE WITHIN MORTGAGE FORECLOSURE UPON LARRY HANEY AT 1122 1ST AVENUE, BERWICK BY HANDING TO LARRY HANEY, , A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT AND MADE KNOWN TO THEM THE CONTENTS THEREOF.

SO ANSWERS.

SWORN AND SUBSCRIBED BEFORE ME THIS WEDNESDAY, MARCH 11, 2009

> NOTARIAL SEAL SARAH J. HOWER, Notary Public Bloomsburg, Columbia County, PA My Commission Expires September 30, 2012

TIMOTHY T. CHAMBERLAIN SHERIFF

P. D'ANGELO

DEPUTY SHERIFF

#### TIMOTHY T. CHAMBERLAIN



PHONE (570) 389-5622

24 HOUR PHONE (570) 784-6300

CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAGE COMPANY

Docket # 50ED2009

MORTGAGE FORECLOSURE

LARRY L. HANEY KATHRYN E. HANEY

### AFFIDAVIT OF SERVICE

NOW, THIS TUESDAY, MARCH 10, 2009, AT 5:10 PM, SERVED THE WITHIN MORTGAGE FORECLOSURE UPON KATHRYN HANEY AT 1122 IST AVENUE, BERWICK BY HANDING TO LARRY HANEY, HUSBAND, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT AND MADE KNOWN TO THEM THE CONTENTS THEREOF.

SO ANSWERS,

SWORN AND SUBSCRIBED BEFORE ME THIS WEDNESDAY, MARCH 11, 2009

NOTARY PUBLIC

NOTARIAL SEAL SARAH J. HOWER, Notary Public Broomsburg, Columbia County, PA My Cummission Expires September 30, 2012 TIMOTHY T. CHAMBERLAIN SHERIFF

P. D'ANGELO DEPUTY SHERIFF

Comittee Print Article OFF DEED PO	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
plete items 1, 2, 4 if Restricted De your name and a your name can return the front if space addressed to:  addressed to: Addres	<ul> <li>Complete items 1, 2,</li></ul>	Signature  Agent  Agent  Agent  B. Received by (Paped Name)?  C. Date of Delive  D. Is delivery address affisirent from item 1?   Yes
12, 13. Also complete 12, 13. Also complete 24 Delivery is desired. 25 Ind address on the reverse 26 turn the card to you. 26 the back of the malipiece 27 pace permits. 27 28 29 20 21 21 21 22 21 22 22 23 24 26 27 27 27 28 29 20 21 21 21 21 22 22 23 24 25 26 27 27 28 28 29 20 20 20 20 20 20 20 20 20 20 20 20 20	1. Article Addressed to:  U.S. SMALL BUSINESS ADMINISTRATION PHILADELPHIA DISTRICT OFFICE ROBERT N.C. NIX FEDEAL BUILDING 900 MARKET STREET-5 <sup>TH</sup> FLOOR	If YES, enter delivery address below.
	PHILADELPHIA, PA 19107	Service Type     Certifled Mail    □ Express Mail     Registered    □ Return Receipt for Merchandis     Insured Mail    □ C.O.D.      Restricted Delivery? (Extra Fee)    □ Yes
A. Sig	2. Article Number	
A. Signsture  B. C. D. C. D.  B. Registered  B. Registered  B. Registered  B. Registered  B. Registered  B. Restricted Delivery? (Extra Fee)	PS Form 3811, February 2004 Domestic Ret	
ess diffe	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Agent  Agent  Agent  Agent  Addressee  Name)  C. Date of Delivery  MAR 11 200  Warent from Item 1?   Was address below:  No  Express Mall  Express Mall  Return Receipt for Merchandise  C.O.D.  Extra Fee)    Ves	<ul> <li>Complete items 1, 2, 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse</li> </ul>	A. Signature SO Agent Addresse
C. Mall slow:	so that we can return the card to you.  Attach this card to the back of the mailplece, or on the front if space permits.	B. Received by (Printed Name AAD C. Date of Deliver
C. Date of Del MAR 11 2 17	Article Addressed to:	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
	INTERNAL REVENUE SERVICE TECHNICAL SUPPORT GROUP WILLIAM GREEN FEDERAL BUILDING	
Complete items item 4 if Restriction 6 in the front in the	600 ARCH STREET ROOM 3259 PHILADELPHIA, PA 19106	3. Service Type  Certifled Mall
% % C		4. Restricted Delivery? (Extra Fee) ☐ Yes
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Also complete is desired. so no the reverse rid to you. of the mailpiece hits.	SENDER: COMPLETE THIS SECTION  Complete items 1, 2, d 3. Also complete item 4 if Restricted Delivery is desired.	A. Signeture
ece,	<ul> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailplece,</li> </ul>	B. Received by (Printed Name)  B. Received by (Printed Name)  C. Date of Delive  MAR 11 2009
2 4 % @ Q & 4	or on the front if space permits.  1. Article Addressed to:	D. Is delivery address different from item 1? Yes
A. Signature  A. Signature  A. Signature  B. Receive by (Philied Name)  B. Receive by (Philied Name)  C. Is delivery address different from the pressure of th	COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF REVENUE-ATTN: SHERIFF BUREAU OF COMPLIANCE CLEARANCE SUPPORT SECTION	If YES, enter delivery address below:   No  SALE
Signature Signat	DEPARTMENT 281230 HARRISBURG, PA 17128-1230	3. Service Type  d Certified Mail  ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandl ☐ Insured Mail ☐ C.O.D.
C. C. Hem 1? elow:	2. Article Number 700	4. Restricted Delivery? (Extra Fee)
	(Transfer from service label)  Domestic Return 2004 Domestic Return 2004	
S C. Date of Deliver  MAR 1 1 2008  m flem 1? Yes below: No  s Mail Receipt for Merchandise		

### UNITED STATES BANKRUPTCY COURT

Middle District of Pennsylvania

### Notice of Chapter 7 Bankruptcy Case. Meeting of Creditors, & Deadlines

A bankruptcy case concerning the debtor(s)listed below was originally filed under chapter 13 on February 27, 2007 and was converted to a case under chapter 7 on 4/3/09.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or electronically through "PACER" (Public Access to Court Electronic Records).

NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

### See Reverse Side For Important Explanations.

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, and trade): Larry 1. Haney

Larry L. Haney aka Larry Lee Haney 1122 First Avenue Berwick, PA 18603 Kathryn E Haney

159-56-9088

aka Kathryn Hlaine Hancy 1122 First Avenue Berwick, PA 18603

Case Number: 5:07-bk-50453-JJT

Last four digits of Social Security No., Individual Taxpayer-ID(ITIN) No. or EIN No.:

Taxpayer-ID(ITIN) No. or EIN No 205-48-7363

Attorney for Debtor(s) (name and address): James Beatrice Jr

Beatrice Law Offices
PO Box 70
Unabase III. BA 1772

Hughesville, PA 17737 Telephone number: 570 546–2050 Bankruptcy Trustee (name and address):

Michael G Oleyar (Trustee) 1363 North Church Street Hazle Township, PA 18202

Telephone number: 570 455-6800

### Meeting of Creditors:

## All individual debtors must provide picture identification and proof of social security number to the trustee at the meeting of creditors.

Date: May 20, 2009

Time: 11:00 AM

Location: Host Inn, Board Room, 860 Kidder Street, Wilkes-Barre, PA

### Presumption of Abuse under 11 U.S.C. § 707(b)

See "Presumption of Abuse" on reverse side.

Insufficient information has been filed to date to permit the clerk to make any determination concerning the presumption of abuse. If more complete information, when filed, shows that the presumption has arisen, creditors will be notified.

#### Dear ines

Papers must be received by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Complaint Objecting to Discharge of Debtor or to Determine Dischargeability of Certain Debts: 7/19/09

### **Deadline to Object to Exemptions:**

Thirty (30) days after the conclusion of the meeting of creditors.

### Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

# Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So. CREDITORS WITH A FOREIGN ADDRESS

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of

Address of the Bankruptcy Clerk's Office:

Claim at This Time" on the reverse side,

U.S. Bankruptcy Court 274 Max Rosenn U.S. Courthouse 197 South Main Street Wilkes-Barre, PA 18701 For the Court:

Clerk of the Bankruptcy Court:

Terrence S. Miller

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FORM B9A (03/09)

	TONY BYA WAY
Filing of Chapter 7 Bankruptey Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11. United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail, or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or contaming lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time, and location listed on the front side. The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors. Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under §707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
DoNot file Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. You therefore should not file a proof of claim at this time. If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts:	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline.
Exempt Property:	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any document that you file in this bankruptcy case should be filed through "ECF" (Electronic Case Filing) or with the bankruptcy clerk's office at the address listed on the front side. You may inspect all documents filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office or electronically through "PACER" (Public Access to Court Electronic Records).
Foreign Creditors	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
	- Refer to Other Side for Important Deadlines and Notices
RAPID DATA AC	CESS: We encourage you to register with our Public Access to Court Electronic Records System

RAPID DATA ACCESS: We encourage you to register with our Public Access to Court Electronic Records System ("PACER") by visiting the PACER Home Page at http://pacer.psc.uscourts.gov/ or by calling 1-800-676-6856.

**COPY REQUESTS:** To obtain copies of documents, send a written request to the Clerk's Office as listed on this notice.

**IMPORTANT NOTICES TO DEBTOR:** Pursuant to Section 727(a)(11) and 1328(g) of the Bankruptcy Code, you are required in most instances to file a certification with the Clerk, of the completion of a **Personal Instructional Financial Management Course,** Failure to do so will prevent the issuance of a Discharge. Your case will be closed and you may be required to pay a reopening fee if you later desire to receive a discharge.

Failure to file other, required documents may result in the dismissal of your case without further notice.

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Middle District of Pennsylvania

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Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, and trade): Larry L Haney

aka Larry Lee Haney 1122 First Avenue Berwick, PA 18603

Case Number

Kathryn E Haney aka Kathryn Elaine Haney 1122 First Avenue Berwick, PA 18603

5:07-bk-50453-JJT

Taxpayer-ID(ITIN) No. or EIN No.: 205-48-7363 159-56-9088

Bankruptcy Trustee (name and address):

Last four digits of Social Security No., Individual

Attorney for Debtor(s) (name and address): James Beatrice Jr Beatrice Law Offices PO Box 70

Michael G Oleyar (Trustee) 1363 North Church Street Hazle Township, PA 18202

Hughesville, PA 17737 Telephone number: 570 546–2050 Telephone number: 570 455-6800

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Address of the Bankruptcy Clerk's Office:

U.S. Bankruptcy Court

274 Max Rosenti U.S. Courthouse 197 South Main Street

197 South Main Street Wilkes-Barre, PA 18701 For the Court:

Clerk of the Bankruptcy Court:

Terrence S. Miller

<b>EXPLA</b>	NATI	ONS_	

FORM B9A (03/09)

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_	- Refer to Other Side for Important Deadlines and Notices

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Failure to file other, required documents may result in the dismissal of your case without further notice.

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## UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF PENNSYLVANIA

In re: Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, and trade):

Larry L Haney aka Larry Lee Haney Kathryn E Haney aka Kathryn Elaine Haney Case No. 5:07-bk-50453-JJT Chapter 7

### NOTICE TO ALL CREDITORS AND OTHER PARTIES IN INTEREST

Pursuant to 11 U.S.C., Section 707(b), the Clerk is required to notify creditors if a presumption of abuse exists. You are hereby notified:

To date, insufficient information has been filed to permit the clerk to make any determination concerning the presumption of abuse. If more complete information, when filed, shows that the presumption of abuse has arisen, creditors will be notified.

Address of the Bankruptcy Clerk's Office: U.S. Bankruptcy Court 274 Max Rosenn U.S. Courthouse 197 South Main Street Wilkes-Barre, PA 18701 570-831-2500	For the Court: Clerk of the Bankruptcy Court: Terrence S. Miller
Hours Open: Monday - Friday 9:00 AM - 4:00 PM	Date: April 6, 2009



March 18, 2009

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

CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAGE COMPANY

VS.

LARRY L. HANEY KATHRYN E. HANEY

**DOCKET # 50ED2009** 

JD # 79JD2006

Dear Timothy:

The amount due on the sewer account #129572 for the property located at 1122 1st Avenue Berwick, Pa through June 30, 2009 is \$469.65.

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

Sincerely,

Kelly Greer Authority Clerk

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

OFFICER:	SERVICE# 6 - OF - 12 SERVICES
DATE RECEIVED 3/4/2	009 DOCKET # 50ED2009
PLAINTIFF	CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAGE COMPANY
DEFENDANT	LARRY L. HANEY KATHRYN E. HANEY
ATTORNEY FORM	PHELAN HALLINAN AND SCHMIEG
_PERSON/COFP TO SER	VED PAPERS TO SERVED
DOMESTIC RELIATIONS	MORTGAGE FORECLOSURE
15 PERRY AVII	
BLOOMSBUTT	
SERVED UPON MAU	CEEN COLE
RELATIONSEE Cygo	IDENTIFICATION
DATE <u>3-11</u> -9 TIME	MILEAGE OTHER
Race Sev Heigh	Weight Eyes Hair Age Military
B. C. D. E.	PERSONAL SERVICE AT POA POB CCSO IIOUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA CORPORATION MANAGING AGENT REGISTERED AGENT NOT FOUND AT PLACE OF ATTEMPTED SERVICE OTHER (SPECIFY)
ATTEMPTS DATE TIM	IE OFFICER REMARKS
DEPUTY	DATE 3-11-5

#### JUNTY OF COLUMBIA

### REAL ESTATE TAX CERTIFICATION

Date: 03/11/2009 Fee: \$5.00 Cert. NO: 5858

HANEY LARRY L & KATHRYN E 1122 FIRST AVENUE BERWICK PA 18603

District: BERWICK BORO Deed: 0339 -0076 Location: 1122 1ST AVE Parcel Id:04C-02 -204-00,000

Assessment: 19,457 Balances as of 03/11/2009

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

By: Timothy	T. Chamberlain	Sheriff Per	e:dm.	
()		,		

OFFICER: T. CHAMBE DATE RECEIVED 3/4/2009	CER: T. CHAMBERLAIN ERECEIVED 3/4/2009		OF - 12 SERVICES D2009
PLAINTIFF	CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAGE COMPANY		
DEFENDANT  ATTORNEY FIRM  PERSON/CORP TO SERVI  LARRY HANEY  1122 IST AVENUE  BERWICK  SERVED UPON 1/2/2	E <b>D</b>	HANEY LINAN AND SCH PAPERS TO SE MORTGAGE FC	RVED PRECLOSURE
RELATIONSHIP			
DATE <b>C 3 10 01</b> TIME			
Race Sex Height_	Weight	Eyes Hair	Age Military
C. C D. R E. N	OUSEHOLD MEI ORPORATION M EGISTERED AGI OT FOUND AT P	MBER: 18+ YEAF IANAGING AGEN ENT LACE OF ATTEM	RS OF AGE AT POA
_		***	
ATTEMPTS DATE TIME	OF	FICER	REMARKS
03 KD. US 2135	DANG	6670	1/6
DEPUTY /	an De	DATE _	03 10.09

	ICER: T. CHAMBERLAIN E RECEIVED 3/4/2009		SERVICE# 2 - OF - 12 SERVICES DOCKET # 50ED2009	
PLAINTIFF		ME FINANCE LLC E COMPANY	S/B/M TO CHASE	
DEFENDANT ATTORNEY 1319 M	LARRY L. I KATHRYN PHELAN H	E. HANEY	HMIEG	
PERSON/CORP TO	SERVED	PAPERS TO S	ERVED FORECLOSURE	
SERVED UPON	Corny	Heney		
RELATIONSHIP	HUSBONO	IDENTIFIC	ATION	
DATE 63.70.09 T	IME <u>/ / / / ©</u> MI	LEAGE	OTHER	
Race Sex	Height Weight _	Eyes Hair	Age Military	
TYPE OF SECURCE:	B. HOUSEHOLD I C. CORPORATION D. REGISTERED A E. NOT FOUND A	MEMBER: 18+ YEAN MANAGING AGE AGENT T PLACE OF ATTE		
ATTEMPTS DATE	TIME	OFFICER	REMARKS	
63 /0 09 /	135 Z	PANGOTO	c/c	
		*****		
DEPUTY	(Ru D.	All DATE	03.10.09	

OFFICER: DATE RECEIVED 3/4/2009	SERVICE# 9 - OF - 12 SERVICES DOCKET # 50ED2009		
PLAINTIFF	CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAGE COMPANY		
PERSON/COR: TO SERVE COLUMBIA CO ENTY TAX O PO BOX 380 BLOOMSBURG			
SERVED UPON Kena	Manager IDENTIFICATION_		
RELATIONSHIP OHIO	Manage IDENTIFICATION		
DATE 3-10-09 TIME 14	126 MILEAGEOTHER		
Race Sex _ Height	Weight Eyes Hair Age Military		
B. HC C. CC D. RE	RSONAL SERVICE AT POA POB CCSO DUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA DRPORATION MANAGING AGENT GISTERED AGENT OT FOUND AT PLACE OF ATTEMPTED SERVICE		
F. OT	HER (SPECIFY)		
ATTEMPTS DATE TIME	OFFICER REMARKS		
DEPUTY JAM	ÚDCM) DATE 3-10-09		

OFFICER: T. CHAMBI DATE RECEIVED 3/4/200		SERVICE# 5 - DOCKET # 50E	OF - 12 SERVICES D2009
PLAINTIFF	CHASE HOME MORTGAGE C		S/B/M TO CHASE
DEFENDANT	LARRY L. HAI KATHRYN E.	HANEY	
ATTORNEY PLAM			
PERSON/CC TO SERV	ED	PAPERS TO SI	ERVED
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ATTORNEY FE M		AN HALLINAN AND	SCHMIEG
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Tex Notice 2009 County & Municipality				DATE		BILL NO.
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Connie C Gingher	GENERAL	19 457	6 146	117 19	119 58	134 54
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	LIGHT		1.75	33.37	34.05	
CLOSED WEDNESDAY & HOLDAYS.	BORO RE		10.6	202.12	206.24	216.55
CLOSED FRIDAYS						
PHONE:570-752-7442	The discount & penalty		!	402.16	410.36	438.17
	for your convenience	PAY THIS AMOUNT		April 30	June 30	June 30
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		Discount	2%	2%	000	conthouse on:
HANEY LARRY L & KATHRYN E	₩ Z	Penalty 1	10%	5%	ner	January 1 2010
1122 FIRST AVENUE		PARCEL: 04C-02 -204-00.000	-02 -204-0	0.000		2121
BERWICK PA 18603		1122 FIRST AVE	Į.			
		.1653 Acres		Land	2,880	
			Buildings	•	16,577	FILE COPY
If you desire a receipt, send a self-addressed stamped envelope with your payment	lope with your payment	Tot	Fotal Assessment		19,457	
THE TAY WOLLD'S MIDS I DE RELONNED WILL T	OUR PAYMEN!					

## REAL ESTATE OUTLINE

ED#\_50-09

DATE RECEIVED DOCKET AND INDEX 3-7-6	*
CHECK FOR PROPER WRIT OF EXECUTION COPY OF DESCRIPTION WHEREABOUTS OF LKA NON-MILITARY AFFIDAVIT NOTICES OF SHERIFF SALE WAIVER OF WATCHMAN AFFIDAVIT OF LIENS LIST CHECK FOR \$1,350.00 OR	INFO.  CK# 73/608
**IF ANY OF ABOVE IS MISSIN	G DO NOT PROCEED**
SALE DATE POSTING DATE ADV. DATES FOR NEWSPAPER	TIME O'CO  1ST WEEK 2ND WEEK 3RD WEEK

# SE ERIFF'S SALE

WEDNESDAY	MAY	27, 2009	AT 9:00 A	AM.

BY VIRTUMO. 79 OF 20 COLUMBIA EXPOSED TO FOR CASH, INTILE COLUMENTHE RIGHT

DISSUED OUT OF THE COURT OF COMMON PLEAS OF JNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE BLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT

COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

All that counterly: Columbia and to wit: in piece, parcel or plot of land being located on the of linst Avenue, in the Borough of Berwick, County of tate of Pennsylvania, bounded and described as follows,

BEGINNING a Borough of Avenue in a thence alor foot alleythe corner point on the southerly side of First Avenue, in the Work, at the corner of Lot No. 519; thence along First casterly direction 45 feet to the corner of Lot No. 517; ot No. 517 in a southerly direction 160 feet to a fifteen conce along the same in a westerly direction 45 feet to Lot No. 519; thence along the same in a northerly feet to the southerly side of First Avenue, the point or

direction 1 place of b

ning.

BEING Lot I to Berwick 518 in Berwick Land and Improvement Company's Addition

TITLE SAIS Pi Deed from Fran

ESESE IS VESTED IN Larry Larry L. Haney and Kathryn E. Haney, his wife, by eccker, single, dated 6-15-97, recorded 7-7-97, in Deed Book 660, page 1.

Premises bein...

22 1ST AVENUE, BERWICK, PA 18603

Tax Parcel #0

22040-000

#### TERMS OF SALE

MINIMUM costs (opening latime of sale.

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

REMAININ
(8) days after ti

**XLANCE OF BID PRICE:** Any remaining amount of the bid price is to be paid within le is cash, certified check or cashier's check.

IMPORT AT PRICE IN ACC CONSEQUENCE PAYMENT WI OTICE FOR FAILURE TO PAY BID PRICE: FAILURE TO PAY THE BID FANCE WITH THESE TERMS MAY RESULT IN SERIOUS FINANCIAL TO THE BIDDER. DO NOT BID UNLESS FUNDS ARE AVAILABLE FOR NITHE PRESCRIBED TIME PERIOD.

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

Plaintiff's Attornational Schmieg 1617 JFK Blvd Philadelphia, PA

.6

Sheriff of Columbia County
Timothy T. Chamberlain
www.sheriffofcolumbiacounty.com

# SI ERIFF'S SALE

WEDNESDAY MAY 27, 2009 AT 9:00 AM

BY VIRTI NO. 79 OF 20 COLUMBIA:

EXPOSED TO FOR CASH, !

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All that co southerly : Columbia a:

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to Berwick

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Tax Parcel #0

MINIMUM

costs (opening 1 time of sale.

(8) days after t!

IMPORT A CONSEQUENC

PAYMENT WE If the success:

bidder for the ba-

maintain an actic

be considered for responsible for a

which the bidde:

Plaintiff's Attorn Daniel Schmieg 1617 JFK Blvd

Philadelphia, PA - 2166

F A WRIT OF EXECUTION NO. 50 OF 2009 ED AND CIVIL WRIT D ISSUED OUT OF THE COURT OF COMMON PLEAS OF

INTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE

BLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER. A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT A COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL **NO TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:** 

cain piece, parcel or plot of land being located on the le of First Avenue, in the Borough of Berwick, County of State of Pennsylvania, bounded and described as follows.

BEGINNING as a point on the southerly side of First Avenue, in the Borough of Brwick, at the corner of Lot No. 519; thence along First Avenue in a chasterly direction 45 feet to the corner of Lot No. 517; thence alo: Lot No. 517 in a southerly direction 160 feet to a fifteen

foot alley; thence along the same in a westerly direction 45 feet to

the corner of Lot No. 539; thence along the same in a northerly

9 feet to the southerly side of First Avenue, the point or

BEING Lot 1 . 513 in Berwick Land and Improvement Company's Addition

TITLE SAIS P: MISESE IS VESTED IN Larry Larry L. Hancy and Kathryn E. Hancy, his wife, by « Γ coker, single, dated 6-15-97, recorded 7-7-97, in Deed Book 660, page 1.

> 1122 IST AVENUE, BERWICK, PA 18603 ⇒002040-0**00**

### TERMS OF SALE

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

REMAININ BALANCE OF BID PRICE: Any remaining amount of the bid price is to be paid within sale is cash, certified check or cashier's check.

INOTICE FOR FAILURE TO PAY BID PRICE: FAILURE TO PAY THE BID PRICE IN ACC RUANCE WITH THESE TERMS MAY RESULT IN SERIOUS FINANCIAL S TO THE BIDDER. DO NOT BID UNLESS FUNDS ARE AVAILABLE FOR IIN THE PRESCRIBED TIME PERIOD.

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

> Sheriff of Columbia County Timothy T. Chamberlain

www.sheriffofcolumbiacounty.com

# SHERIFF'S SALE

### WEDNESDAY MAY 27, 2009 AT 9:00 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 50 OF 2009 ED AND CIVIL WRIT NO. 79 OF 2( 3 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA OUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER. FOR CASH, 11 A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUM: JA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT ND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO: All that co main biece, parcel or plot of land being located on the southerly : do of First Avenue, in the Borough of Berwick, County of Columbia at State of Pennsylvania, bounded and described as follows, to wit: BEGINNING & a point on the southerly side of First Avenue, in the Borough of harwick, at the corner of Lot No. 519; thence along First Avenue in a casterly direction 45 feet to the corner of Lot No. 517;

thence alor 100 No. 517 in a southerly direction 160 feet to a fifteen foot alley: thence along the same in a westerly direction 45 feet to the corner of Lot No. 519; thence along the same in a northerly direction ( ) feet to the southerly side of First Avenue, the point or

place of be inning.

BEING Lot : . 518 in Berwick Land and Improvement Company's Addition to Berwick.

TITLE SAIS PL MISESE IS VESTED IN Larry Larry L. Hancy and Kathryn E. Hancy, his wife, by Deed from Francis Decker, single, dated 6-15-97, recorded 7-7-97, in Deed Book 660, page 1.

Premises being 1122 1ST AVENUE, BERWICK, PA 18603

Tax Parcel #0# 002040-000

#### TERMS OF SALE

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

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

IMPORT A. NOTICE FOR FAILURE TO PAY BID PRICE: FAILURE TO PAY THE BID PRICE IN ACC ROANCE WITH THESE TERMS MAY RESULT IN SERIOUS FINANCIAL 5 TO THE BIDDER, DO NOT BID UNLESS FUNDS ARE AVAILABLE FOR CONSEQUENC PAYMENT WITCHN THE PRESCRIBED TIME PERIOD.

If the success. I bidder fails to pay the bid price as per the above terms, the Sheriff may elect either to sue the bidder for the ball the due without a resalt of the property, or to resell the property at the bidder's risk and maintain an actio emainst the bidder for breach of contract. In the case of a default all sums paid by bidder will be considered for ted, but will be applied against any damages recoverable. The defaulting bidder will be responsible for a: attended fees incurred by the Sheriff in connection with any action against the bidder in which the bidder

found liable for damages.

Plaintiff's Attorn Sheriff of Columbia County Daniel Schmieg Timothy T. Chamberlain

1617 JFK Blvd www.sheriffofcolumbiacounty.com

Philadelphia, PA 1106

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

CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAGE COMPANY vs. LARRY L. HANEY IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA

No. 2006-CV-79 Term 200

WRIT OF EXECUTION (Mortgage Foreclosure)

Commonwealth of Pennsylvania:

KATHRYN E. HANEY

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: 1122 1ST AVENUE, BERWICK, PA 18603 (See Legal Description attached)

Amount Due
Additional Fees and Costs
Interest from 1/17/06\_\_\_\_\_\_and costs.
at \$11.78per diem

\$71,647.52 \$6,791.00

of Columbia County, Penna.

(Clerk) Office of the Prothy Support, Common Pleas Court

Dated Marah 4, 2019 (SEAL)

(SEAL)

PHS#129068

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

BEGINNING at a point on the southerly side of First Avenue, in the Borough of Berwick, at the corner of Lot No. 519; thence along First Avenue in an easterly direction 45 feet to the corner of Lot No. 517; thence along Lot No. 517 in a southerly direction 160 feet to a fifteen foot alley; thence along the same in a westerly direction 45 feet to the corner of Lot No. 519; thence along the same in a northerly direction 160 feet to the southerly side of First Avenue, the point or place of beginning.

BEING Lot No. 518 in Berwick Land and Improvement Company's Addition to Berwick.

FITLE SAIS PREMISESE IS VESTED IN Larry Larry L. Haney and Kathryn E. Haney, his wife, by Deed from Francis Decker, single, dated 6-15-97, recorded 7-7-97, in Deed Book 660, page 1.

and the second of the second o

Premises being: 1122 1ST AVENUE, BERWICK, PA 18603

Phelan Hallinan & Schmieg, LLP By: Daniel G. Schmieg, Esquire Identification No. 62205 One Penn Center Plaza 1617 JFK Boulevard, Ste.1400 Philadelphia, PA 19103 (215) 320-0007

Attorney for Plaintiff

CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAGE COMPANY

: COLUMBIA COUNTY

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: NO. 2006-CV-79

VS.

LARRY L. HANEY KATHRYN E. HANEY

### VERIFICATION OF NON-MILITARY SERVICE

Daniel G. Schmieg, Esquire, hereby verifies that he is attorney for the Plaintiff in the abovecaptioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

- (a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.
- (b) that defendant LARRY L. HANEY is over 18 years of age and resides at 1122 1ST AVENUE. BERWICK, PA 18603.
- (c) that defendant KATHRYN E. HANEY is over 18 years of age, and resides at 1122 1ST **AVENUE, BERWICK, PA 18603-0000.**

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

Phelan Hallinan & Schmieg, LLP By: Daniel G. Schmieg, Esquire Identification No. 62205 One Penn Center Plaza 1617 JFK Boulevard, Ste.1400 Philadelphia, PA 19103 (215) 320-0007

Attorney for Plaintiff

CHASE HOME FINANCE LLC S/B/M TO CHASE

MORTGAGE COMPANY

: COLUMBIA COUNTY

: COURT OF COMMON PLEAS

vs. : CIVIL DIVISION

LARRY L. HANEY
KATHRYN E. HANEY
: NO. 2006-CV-79

### VERIFICATION OF NON-MILITARY SERVICE

Daniel G. Schmieg, Esquire, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

- (a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.
- (b) that defendant LARRY L. HANEY is over 18 years of age and resides at 1122 1ST AVENUE, BERWICK, PA 18603.
- (c) that defendant KATHRYN E. HANEY is over 18 years of age, and resides at 1122 1ST AVENUE, BERWICK, PA 18603-0000.

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

Daniel G. Schmieg, Esquire

### Phelan Hallinan & Schmieg, LLP By: Daniel G. Schmieg, Esquire Identification No. 62205 Attorney for Plaintiff One Penn Center at Suburban Station 1617 John F. Kennedy Boulevard Suite 1400 Philadelphia, PA 19103-1814 Attorney for Plaintiff (215)563-7000 CHASE HOME FINANCE LLC S/B/M TO **COLUMBIA COUNTY** CHASE MORTGAGE COMPANY **3415 VISION DRIVE** COURT OF COMMON PLEAS COLUMBUS, OH 43219 CIVIL DIVISION Plaintiff, NO. 2006-CV-79 v. LARRY L. HANEY 1122 1ST AVENUE BERWICK, PA 18603 KATHRYN E. HANEY 1122 1ST AVENUE BERWICK, PA 18603-0000 Defendant(s). CERTIFICATION Daniel G. Schmieg, Esquire hereby verifies that he is the attorney for the Plaintiff in the above-captioned matter and that the premises is not subject to the provisions of Act 91 because it is: (X)an FHA Mortgage ( ) non-owner occupied ( ) vacant () Act 91 procedures have been fulfilled

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

Daniel G. Schmieg, Esquire

Attorney for Plaintiff

### Phelan Hallinan & Schmieg, LLP By: Daniel G. Schmieg, Esquire Identification No. 62205 Attorney for Plaintiff One Penn Center at Suburban Station 1617 John F. Kennedy Boulevard Suite 1400 Philadelphia, PA 19103-1814 Attorney for Plaintiff (215)563-7000 CHASE HOME FINANCE LLC S/B/M TO **COLUMBIA COUNTY** CHASE MORTGAGE COMPANY 3415 VISION DRIVE COURT OF COMMON PLEAS COLUMBUS, OH 43219 CIVIL DIVISION Plaintiff, v. NO. 2006-CV-79 LARRY L. HANEY 1122 1ST AVENUE BERWICK, PA 18603 KATHRYN E. HANEY 1122 1ST AVENUE BERWICK, PA 18603-0000 Defendant(s). CERTIFICATION Daniel G. Schmieg, Esquire hereby verifies that he is the attorney for the Plaintiff in the above-captioned matter and that the premises is not subject to the provisions of Act 91 because it is: (X)an FHA Mortgage () non-owner occupied () vacant () Act 91 procedures have been fulfilled This Certification is made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

Daniel G. Schmieg, Esquire

Attorney for Plaintiff

Phelan Hallinan & Schmieg, LLP By: Daniel G. Schmieg, Esquire

Identification No. 62205

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

**Suite 1400** 

Philadelphia, PA 19103-1814

Attorney for Plaintiff (215)563-7000

CHASE HOME FINANCE LLC S/B/M TO CHASE : COLUMBIA COUNTY

MORTGAGE COMPANY

3415 VISION DRIVE : COURT OF COMMON PLEAS

COLUMBUS, OH 43219 :

: CIVIL DIVISION

Attorney for Plaintiff

Plaintiff, :

v. : NO. 2006-CV-79

LARRY L, HANEY
1122 1ST AVENUE
BERWICK, PA 18603

:

KATHRYN E. HANEY
1122 1ST AVENUE
:

BERWICK, PA 18603-0000

Defendant(s).

## AFFIDAVIT PURSUANT TO RULE 3129 (Affidavit No.1)

CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAGE COMPANY, Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at 1122 1ST AVENUE, BERWICK, PA 18603.

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

NAME LAST KNOWN ADDRESS (If address cannot be

reasonably ascertained, please so indicate.)

LARRY L, HANEY 1122 1ST AVENUE

BERWICK, PA 18603

KATHRYN E. HANEY 1122 1ST AVENUE

BERWICK, PA 18603-0000

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

NAME LAST KNOWN ADDRESS (If address cannot be

reasonably ascertained, please so indicate.)

SAME AS ABOVE

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

NAME

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

NONE

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

NAME

LAST KNOWN ADDRESS (If address cannot be

reasonably ascertained, please so indicate.)

**NONE** 

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

NAME

LAST KNOWN ADDRESS (If address cannot be

reasonably ascertained, please so 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

LAST KNOWN ADDRESS (If address cannot be

reasonably ascertained, please so indicate.)

NONE

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

NAME

LAST KNOWN ADDRESS (If address cannot be

reasonably ascertained, please so indicate.)

TENANT/OCCUPANT

1122 1ST AVENUE BERWICK, PA 18603

DOMESTIC RELATIONS OF

COLUMBIA COUNTY

COLUMBIA COUNTY COURTHOUSE

P.O. BOX 380

**BLOOMSBURG, PA 17815** 

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF WELFARE

P.O. BOX 2675

HARRISBURG, PA 17105

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

March 2, 2009

Date

Daniel G. Schmieg, Esquire

Attorney for Plaintiff

Phelan Hallinan & Schmieg, LLP By: Daniel G. Schmieg, Esquire Identification No. 62205 One Penn Center at Suburban Station 1617 John F. Kennedy Boulevard Suite 1400

**Attorney for Plaintiff** 

CHASE HOME FINANCE LLC S/B/M TO CHASE

COLUMBIA COUNTY

MORTGAGE COMPANY

Philadelphia, PA 19103-1814

: : C

3415 VISION DRIVE

Attorney for Plaintiff (215)563-7000

COURT OF COMMON PLEAS

COLUMBUS, OH 43219

:

CIVIL DIVISION

NO. 2006-CV-79

Plaintiff,

:

LARRY L. HANEY

1122 1ST AVENUE

٧.

:

BERWICK, PA 18603

:

KATHRYN E. HANEY 1122 1ST AVENUE

:

BERWICK, PA 18603-0000

Defendant(s).

### AFFIDAVIT PURSUANT TO RULE 3129 (Affidavit No.1)

CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAGE COMPANY, Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at 1122 1ST AVENUE, BERWICK, PA 18603.

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

NAME

LAST KNOWN ADDRESS (If address cannot be

reasonably ascertained, please so indicate.)

LARRY L. HANEY

1122 1ST AVENUE

BERWICK, PA 18603

KATHRYN E. HANEY

1122 1ST AVENUE

BERWICK, PA 18603-0000

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

**NAME** 

LAST KNOWN ADDRESS (If address cannot be

reasonably ascertained, please so indicate.)

**SAME AS ABOVE** 

3. Name and address of every judgment coditor whose judgment is a record lien on two real property to be sold: **NAME** LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) NONE Name and address of the last recorded holder of every mortgage of record: 4. NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) **NONE** 5. Name and address of every other person who has any record lien on the property: NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) NONE Name and address of every other person who has any record interest in the property and whose interest may be 6. affected by the Sale: NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) NONE 7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale: NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) TENANT/OCCUPANT 1122 1ST AVENUE BERWICK, PA 18603 COLUMBIA COUNTY COURTHOUSE

DOMESTIC RELATIONS OF

P.O. BOX 380 **COLUMBIA COUNTY** 

**BLOOMSBURG, PA 17815** 

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE

P.O. BOX 2675

HARRISBURG, PA 17105

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

March 2, 2009

Date

Daniel G. Schmieg, Esquire

Attorney for Plaintiff

Phelan Hallinan & Schmieg, LLP

By: Daniel G. Schmieg, Esquire

Identification No. 62205

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

**Suite 1400** 

Philadelphia, PA 19103-1814

Attorney for Plaintiff

(215)563-7000

CHASE HOME FINANCE LLC S/B/M TO

COLUMBIA COUNTY

Attorney for Plaintiff

CHASE MORTGAGE COMPANY

3415 VISION DRIVE COLUMBUS, OH 43219

COURT OF COMMON PLEAS

:

Plaintiff,

CIVIL DIVISION

v.

LARRY L. HANEY

:

NO. 2006-CV-79

1122 1ST AVENUE BERWICK, PA 18603

:

KATHRYN E. HANEY

TOTE A STENISTE

1122 1ST AVENUE BERWICK, PA 18603-0000

Defendant(s).

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: LARRY L. HANEY
1122 1ST AVENUE
BERWICK, PA 18603

KATHRYN E. HANEY 1122 1ST AVENUE BERWICK, PA 18603

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

Your house (real estate) at 1122	1ST AVEN	UE, BERWICK, PA 18603 is scheduled to be sold at
Sheriff's Sale on	, at	<b>a.m.</b> , in the Office of the Sheriff at the Columbia
County Courthouse, Bloomsburg, PA 17815, to	enforce the	Court Judgment of \$71,647.52 obtained by CHASE HOME
FINANCE LLC S/B/M TO CHASE MORTGA	GE COMPA	ANY, (the Mortgagee) against you. In the event the sale is
continued, an announcement will be made at sa	id sale in con	mpliance with Pa.R.C.P., Rule 3129.3.

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

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

- 1. The Sale will be cancelled if you pay to the Mortgagee, CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAGE COMPANY, the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call (215) 563-7000.
- 2. You may be able to stop the Sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the Sale for good cause.
- 3. You may also be able to stop the Sale through other legal proceedings.

You may need an attorney to assert your rights. The sooner you contact one, the better chance you will have of stopping the Sale. (See the Notice below on how to obtain an attorney.)

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

4.

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

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

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

WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whoever is found in possession, after notifying such person of such levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

WAIVER OF INSURANCE · Now, ....., 20...., the Sheriff is hereby released from all liability to protect the property described in the within named execution by insurance,

which insurance is hereby waived.

.....(SEAL)

Dansel H. Achrinis

	, 20
HARRY A. ROADARMEL Columbia County, Pa.	Sheriff
	Sir: — There will be placed in your hands
for service a Writ of EXECUTION (	REAL ESTATE), styled as
follows: CHASE HOME FINANCE COMPANY vs LARRY L. HANEY	LLC S/B/M TO CHASE MORTGAGE Y and KATHRYN E. HANEY
<u>1122</u>	1ST AVENUE, BERWICK, PA 18603 1ST AVENUE, BERWICK, PA 18603-0000
chattels shall be seized and be levied written copies of description as it sha	elow where defendants will be found, what foods and upon. If real estate, attach five double spaced typed ll appear on the new deed together with Street and not furnish us with the old deed or mortgage.
See attached legal description	

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

BEGINNING at a point on the southerly side of First Avenue, in the Borough of Berwick, at the corner of Lot No. 519; thence along First Avenue in an easterly direction 45 feet to the corner of Lot No. 517; thence along Lot No. 517 in a southerly direction 160 feet to a fifteen foot alley; thence along the same in a westerly direction 160 feet to the corner of Lot No. 519; thence along the same in a northerly direction 160 feet to the southerly side of First Avenue, the point or place of beginning.

BEING Lot No. 518 in Berwick Land and Improvement Company's Addition to Berwick.

FITLE SAIS PREMISESE IS VESTED IN Larry Larry L. Haney and Kathryn E. Haney, his wife, by Deed from Francis Decker, single, dated 6-15-97, recorded 7-7-97, in Deed Book 660, page 1.

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· "我不是一个,我的时间,这是我的现在分词,这是她的人,就被他的女子。"

Premises being: 1122 1ST AVENUE, BERWICK, PA 18603

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

BEGINNING at a point on the southerly side of First Avenue, in the Borough of Berwick, at the corner of Lot No. 519; thence along First Avenue in an easterly direction 45 feet to the corner of Lot No. 517; thence along Lot No. 517 in a southerly direction 160 feet to a fifteen foot alley; thence along the same in a westerly direction 45 feet to the corner of Lot No. 519; thence along the same in a northerly direction 160 feet to the southerly side of First Avenue, the point or place of beginning.

BEING Lot No. 518 in Berwick Land and Improvement Company's Addition to Berwick.

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Premises being: 1122 1ST AVENUE, BERWICK, PA 18603

### **SHERIFF'S RETURN**

# CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAGE COMPANY

Plaintiff

VS.

# IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY

Deputy Sheriff

No. 2006-CV-79 CD

Term, 200

<u>LARRY L. I</u>	<u> 1</u> A	NEY
KATHRYN	E.	HANEY

WRIT

THE PARTY OF THE P			WICH
	Defendants		ISSUED
NOW,	20I,		High Sheriff of Columbia County, Pennsylvania, do
			y, Pennsylvania, to execute this Writ. This deputation being
made at the request and risk of the Plaintiff			
			Sheriff, Columbia County, Pennsylvania
			By Deputy Shcriff
	AFFIDAVIT (	OF SERVIC	E
Now,			'Clock m., served the within
	upon		
at			····
	by handing to		
a true and correct copy of t	he original Notice of Sale a	and made kn	own to
the contents thereof.			
Sworn and Subscribed before me		So Ans	wers,
this			
day of	20		
		BY: _	01 100
Notary Public			Sheriff
		20,	, See return endorsed hereon by Sheriff of
			County, Pennsylvania, and made a part of this
return			
		So Ans	wers,
			Sheriff

## SHERIFF'S DEPARTMENT

SHERIFF SERVICE				pe or print legibly, insuring
PROCESS RECEIPT and AFFIDAVIT OF RET				not detach any copies.
Plaintiff		Expiratio		
CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAGI	E COMPANY		Court Number 2006-CV-79	
Defendant LARRY L. HANEY & KATHRYN E. HANEY			Type or Writ of Comp EXECUTION/No	olaint OTICE OF SALE
SERVE NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SE LARRY L. HANEY	ERVICE OR DESCI	RIPTION OF	PROPERTY TO BE LEVI	ED, ATTACHED OR SALE.
AT  ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and 2  1122 1ST AVENUE, BERWICK, PA 18603-0000	Zip Code)			
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST I	N EXPEDITING	SERVICE.		
SERVE DEFENDANT WITH THE NOTICE OF SALE.				
NOW,, 200_, l, Sheriff of COLUMBIA County,	PA do hereby de	putize the SI	heriff of	
County, to execute the within and make return thereof according to law.				
	Sheriff of C	OLUMBIA	County, Penna.	
NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER of property under within writ may leave same without a watchman, in custody of attachment without liability on the part of such deputy or sheriff to any plaintiff sheriff's sale thereof.	whomever is foun f herein for any lo	d in possess	ion, after notifying perse	on of levy or
Signature of Attorney or other Originator requesting service on behalf of XX Plaint		Telephone	Number	Date
ADDRESS: One Penn Center at Suburban Station, 1617 John F. Kennedy Bouleva Philadelphia, PA 19103-1814	endant rd, Suite 1400	(215)56	3-7000	
SPACE BELOW FOR USE OF SHERIF	FONLY —	DO NOT	WRITE BELO	W THIS LINE
PLAINTIFF			Court Number	
RETURNED;				
AFFIRMED and subscribed to before me this day	SO ANSWERS Signature of Dep	. Sheriff		Date
of20	Signature of St.	niff		 Dut
	Signature of She	1111		Date
	Sheriff of			
	2.101.111.01			

## SHERIFF'S DEPARTMENT

SHERIFF SERVICE PROCESS RECEIPT and AFFIDAVIT OF RE			S: Please type or princopies. Do not detac	
1 ROCESS RECEIL 1 and ATTIDAVIT OF RE		Expiration date	copies. Do not detac	it any copies.
Plaintiff CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGAC		Court 1	Number CV-79	
Defendant LARRY L. HANEY & KATHRYN E. HANEY			r Writ of Complaint CUTION/NOTICE O	F SALE
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO KATHRYN E, HANEY		RIPTION OF PROPERT	Y TO BE LEVIED, ATTACI	HED OR SALE,
AT  ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and 1122 1ST AVENUE, BERWICK, PA 18603-000	0			
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST SERVE DEFENDANT WITH THE NOTICE OF SALE.	IN EXPEDITING	SERVICE.		
NOW,, 200_, I, Sheriff of COLUMBIA Count County, to execute the within and make return thereof according to law.	y, PA do hereby de	putize the Sheriff of		
	Sheriff of C	COLUMBIA County,	Penna.	······
NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER property under within writ may leave same without a watchman, in custody o attachment without liability on the part of such deputy or sheriff to any plaint sheriff's sale thereof.	f whomever is foun	d in possession, after	notifying person of levy or	г
Signature of Attorney or other Originator requesting service on behalf of XX Plain		Telephone Number	Date	
ADDRESS: One Penn Center at Suburban Station, 1617 John F. Kennedy Boulev Philadelphia, PA 19103-1814	efendant /ard, Suite 1400	(215)563-7000		
SPACE BELOW FOR USE OF SHERIF	FF ONLY —	DO NOT WRI	TE BELOW THIS	S LINE
PLAINTIFF		Court 1	lumber	
			<del></del> .	
RETURNED:				
AFFIRMED and subscribed to before me this day	SO ANSWERS Signature of Dep	o. Sheriff		Date
20	Signature of She	riff		Date
	Sheriff of			
			,	

## SHERIFF'S DEPARTMENT

SHERIFF SERVICE			e type or print legibly, insuring
PROCESS RECEIPT and AFFIDAVIT OF RI		readability of all copies.  Expiration date	Do not detach any copies.
Plaintiff CHASE HOME FINANCE LLC S/B/M TO CHASE MORTGA		Court Number	
Defendant		Type or Writ of C	omplaint
LARRY L. HANEY & KATHRYN E. HANEY		EXECUTION	/NOTICE OF SALE
SERVE NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO	SERVICE OR DESC	RIPTION OF PROPERTY TO BE I	EVIED, ATTACHED OR SALE.
ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State at 1122 1ST AVENUE, BERWICK, PA 18603	nd Zip Code)		
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIS	T IN EXPEDITING	SERVICE.	
PLEASE POST THE PREMISES WITH THE SHERIFF'S	HANDRILL OI	SALE	
NOW,	nty, PA do hereby d	eputize the Sheriff of	
	Sheriff of C	COLUMBIA County, Penna.	
NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVEI property under within writ may leave same without a watchman, in custody attachment without liability on the part of such deputy or sheriff to any plair sheriff's sale thereof.	of whomever is foun	d in possession, after notifying t	person of levy or
Signature of Attorney or other Originator requesting service on behalf of $\underline{XX}$ Pla		Telephone Number	Date
ADDRESS: One Penn Center at Suburban Station, 1617 John F. Kennedy Bouk Philadelphia, PA 19103-1814	Defendant evard, Suite 1400	(215)563-7000	
SPACE BELOW FOR USE OF SHERI	FF ONLY —	DO NOT WRITE BE	LOW THIS LINE
PLAINTIFF		Court Number	
		<u>.</u>	
RETURNED:			
AFFIRMED and subscribed to before me this day	SO ANSWERS Signature of Dep	s. Sheriff	Date
of20			
	Signature of Sho	rifT	Date
	Sheriff of		

# PRAECIPE FOR WRIT G. EXECUTION – (MORTGAGE FORECLOSURE) P.R.C.P. 3180-3183

CHASE HOME FINANCE LLC S/	B/M
TO CHASE MORTGAGE COMPA	

VS.

LARRY L. HANEY

KATHRYN E. HANEY

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, PENNSYLVANIA

No. 2006-CV-79 Term 200

PRAECIPE FOR WRIT OF EXECUTION (Mortgage Foreclosure)

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due
Additional Fees and Costs
Interest from 1/17/06 to Sale
At \$11.78 per diem

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i de la proposition de la company de la En la company de la compan

\$71,647.52 \$6,791.00

\$ and costs.

Attorney for the Plaintiff(s)

Note: Please attach description of Property.

PHS#129068

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:

LARRY L. HANEY

A/K/A LARRY LEE HANEY : Bk. No. 5:07-bk-50453 JJT

KATHRYN E, HANEY

A/K/A KATHRYN ELAINE HANEY : Chapter No. 13

Debtors

CHASE HOME FINANCE LLC, S/B/M TO CHASE

MORTGAGE COMPANY

A/K/A KATHRYN ELAINE HANEY

11 U.S.C. §362

Movant :

LARRY L. HANEY :

A/K/A LARRY LEE HANEY :

KATHRYN E. HANEY :

Respondents

ORDER MODIFYING SECTION 362 AUTOMATIC STAY

Upon Consideration of the Motion of CHASE HOME FINANCE LLC, S/B/M TO CHASE MORTGAGE COMPANY (Movant), and after Notice of Default and the filing of a Certification of Default, it is:

**ORDERED AND DECREED THAT:** The Automatic stay of all proceedings, as provided by 11 U.S.C. 362 is modified with respect to premises, 1122 1ST AVENUE, BERWICK, PA 18603-1702, as more fully set forth in the legal description attached to said mortgage, as to allow the Movant to foreclose on its mortgage and allow the purchaser of said premises at Sheriff's Sale (or purchaser's assignee) to take any legal or consensual action for enforcement of its right to possession of, or title to, said premises; and it is further

ORDERED AND DECREED THAT: Rule 4001(a)(3) is not applicable and CHASE HOME FINANCE LLC, S/B/M TO CHASE MORTGAGE COMPANY may immediately enforce and implement this Order granting Relief from the Automatic Stay.

John J. Thomas, Benkrantcy Judie

(BC)

This document is electronically signed and filed on the same date.

Dated: January 23, 2009

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

TO BANK, N.A.. PHILADELPHIA, PA 19148

CHECK NO 781608

03/02/2009 DATE AMOUNT \*\*\*\*\*\*1,350.00 03/02/2009

Void after 180 days

To The

Pay

Sheriff of Columbia County

ONE THOUSAND THREE HUNDRED FIFTY AND 00/100 DOLLARS

Order 35 W Main Street Of

Bloomsburg, PA 17815

#781608# #036001808#36 150866 6#

GHIGHNAL ODCOMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPHINTED BORDER

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