

# COLUMBIA COUNTY SHERIFF'S OFFICE

## SHERIFF'S REAL ESTATE FINAL COST SHEET

One West Bank VS Sumner County

NO. 163-10 ED NO. 1636-19 JD

DATE/TIME OF SALE: Feb. 9, 11 0930

BID PRICE (INCLUDES COST) \$ 2408.18

POUNDAGE - 2% OF BID \$ 48.16

TRANSFER TAX - 2% OF FAIR MKT \$ -

MISC. COSTS \$ -

TOTAL AMOUNT NEEDED TO PURCHASE \$ 2456.34

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

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

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

PURCHASER(S) SIGNATURE(S): 

TOTAL DUE: \$ 2456.34

LESS DEPOSIT: \$ 2000.00

DOWN PAYMENT: \$ -

TOTAL DUE IN 8 DAYS \$ 456.34

# SHERIFF'S SALE COST SHEET

One West Bank VS. James Brown  
 NO. 163-10 ED NO. 1636-09 JD DATE/TIME OF SALE Feb. 11 09 55

DOCKET/RETURN	\$15.00	
SERVICE PER DEF.	\$ <u>255.00</u>	
LEVY (PER PARCEL	\$15.00	
MAILING COSTS	\$ <u>67.50</u>	
ADVERTISING SALE BILLS & COPIES	\$17.50	
ADVERTISING SALE (NEWSPAPER)	\$15.00	
MILEAGE	\$ <u>24.00</u>	
POSTING HANDBILL	\$15.00	
CRYING/ADJOURN SALE	\$10.00	
SHERIFF'S DEED	\$35.00	
TRANSFER TAX FORM	\$25.00	
DISTRIBUTION FORM	\$25.00	
COPIES	\$ <u>3.50</u>	
NOTARY	\$ <u>12.00</u>	
TOTAL *****		\$ <u>556.50</u>

WEB POSTING	\$150.00	
PRESS ENTERPRISE INC.	\$ <u>885.36</u>	
SOLICITOR'S SERVICES	\$75.00	
TOTAL *****		\$ <u>1070.36</u>

PROTHONOTARY (NOTARY)	\$10.00	
RECORDER OF DEEDS	\$ <u>50.00</u>	
TOTAL *****		\$ <u>60.00</u>

REAL ESTATE TAXES:		
BORO, TWP & COUNTY 20	\$	
SCHOOL DIST. 20	\$	
DELINQUENT 20	\$ <u>1.00</u>	
TOTAL *****		\$ <u>1.00</u>

MUNICIPAL FEES DUE:		
SEWER 20	\$ <u>730.30</u>	
WATER 20	\$	
TOTAL *****		\$ <u>730.30</u>

SURCHARGE FEE (DSTE)	\$ <u>150.00</u>	
MISC. _____	\$	
_____	\$	
TOTAL *****		\$

TOTAL COSTS (OPENING BID) \$ 1517.16



**pennsylvania**  
DEPARTMENT OF REVENUE  
Bureau of Individual Taxes  
PO BOX 280603  
Harrisburg, PA 17128-0603

# REALTY TRANSFER TAX STATEMENT OF VALUE

See reverse for instructions.

## RECORDER'S USE ONLY

State Tax Paid

Book Number

Page Number

Date Recorded

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

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

Name	Telephone Number:
McCabe, Weisberg and Conway, P.C.	(215) 790-1010
Mailing Address	City
123 South Broad Street, Suite 2080	Philadelphia
	State
	PA
	ZIP Code
	19109

### B. TRANSFER DATA

Grantor(s)/Lessor(s)  
Sheriff of Columbia County  
Mailing Address  
35 West Main Street

City State ZIP Code  
Bloomsburg PA 17815

### C. Date of Acceptance of Document

Grantee(s)/Lessee(s) Deutsche Bank National Trust Company, as Trustee of the  
Home Equity Mortgage Loan Asset-Backed Trust Series  
INABS 2006-D, Home Equity Mortgage Loan Asset-Backed  
Certificates, Series INABS 2006-D under the Pooling and  
Mailing Address Servicing agreement dated Sept 1, 2006  
888 East Walnut St

City State ZIP Code  
Pasadena CA 91101

### D. REAL ESTATE LOCATION

Street Address	City, Township, Borough
708-710 Market Street	BOROUGH OF BERWICK
County	School District
Columbia	Tax Parcel Number
	04A-04-051

### E. VALUATION DATA - WAS TRANSACTION PART OF AN ASSIGNMENT OR RELOCATION? ☐ Y ☒ N

1. Actual Cash Consideration	2. Other Consideration	3. Total Consideration
2,456.34	+ 0.00	= 2,456.34
4. County Assessed Value	5. Common Level Ratio Factor	6. Fair Market Value
18,540.00	x 3.69	= 68,412.60

### F. EXEMPTION DATA

1a. Amount of Exemption Claimed	1b. Percentage of Grantor's Interest in Real Estate	1c. Percentage of Grantor's Interest Conveyed
100.00	100%	100%

### Check Appropriate Box Below for Exemption Claimed.

- ☐ Will or intestate succession. \_\_\_\_\_ (Name of Decedent) \_\_\_\_\_ (Estate File Number)
- ☐ Transfer to a trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- ☐ Transfer from a trust. Date of transfer into the trust \_\_\_\_\_  
If trust was amended attach a copy of original and amended trust.
- ☐ Transfer between principal and agent/straw party. (Attach complete copy of agency/straw party agreement.)
- ☐ Transfers to the commonwealth, the U.S. and instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- ☐ Transfer from mortgagor to a holder of a mortgage in default. (Attach copy of mortgage and note/assignment.)
- ☐ Corrective or confirmatory deed. (Attach complete copy of the deed to be corrected or confirmed.)
- ☐ Statutory corporate consolidation, merger or division. (Attach copy of articles.)

☒ Other (Please explain exemption claimed.) This property was sold at Sheriff's sale on February 9, 2011 to Deutsche Bank National Trust Company, as Trustee of the Home Equity Mortgage Loan Asset-Backed Trust Series INABS 2006-D, Home Equity Mortgage Loan Asset-Backed Certificates, Series INABS 2006-D under the Pooling and Servicing agreement dated Sept 1, 2006, a mortgage company in default, tax exempt

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

Signature of Correspondent or Responsible Party

Date

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

LAW OFFICES  
**McCABE, WEISBERG & CONWAY, P.C.**

SUITE 2080  
123 SOUTH BROAD STREET  
PHILADELPHIA, PA 19109  
(215) 790-1010  
FAX (215) 790-1274

TERRENCE J. McCABE \*\*\*  
MARC S. WEISBERG \*\*  
EDWARD D. CONWAY \*\*  
MARGARET GAIRO \*\*  
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SCOTT T. TAGGART \*  
MARISA J. COHEN \*  
JASON BROOKS \*  
ERIN M. BRADY \*\*  
KEVIN T. McQUAIL \*  
ALEXANDRA T. GARCIA \*  
CORRIN DEMENT \*\*  
ABBY K. MOYNIHAN \*\*  
CATHERINE WELKER \*\*  
ANTOINETTE N. MOORE \*\*  
CHRISTINE GRAHAM \*  
MELISSA A. SPOSATO \*\*  
HEATHER WEJNERT \*

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February 17, 2011

SUITE 303  
216 HADDON AVENUE  
WESTMONT, NJ 08108  
(856) 858-7080  
FAX (856) 858-7020  
  
SUITE 499  
145 HUGUENOT STREET  
NEW ROCHELLE, NY 10801  
(914) 636-8900  
GENERAL FAX (914) 636-8901  
MEDIATION ONLY FAX (914) 819-5505  
Also servicing Connecticut

SUITE 100  
8101 SANDY SPRING ROAD  
LAUREL, MD 20707  
(301) 490-3361  
FAX (301) 490-1568  
Also servicing the District of Columbia

SUITE 201  
4021 UNIVERSITY DRIVE  
FAIRFAX, VA 22030  
(866) 656-0379

Timothy T. Chamberlain  
Columbia County Courthouse  
35 West Main Street  
Bloomsburg, Pennsylvania 17815

Re: Onwest Bank Fsb  
vs.  
James B. Bogart  
Columbia County, Court of Common Pleas, No. 2009-cv-1636  
Premises: 708-710 Market Street, Berwick, Pennsylvania 18603  
Date of Sheriff's Sale: February 9, 2011

Dear Sheriff:

Enclosed please find check in the amount of \$456.34 which represents the amount necessary to complete settlement, an Assignment of Bid, as well as two completed Realty Transfer Tax Statement of Value forms.

Please be advised that title to this property should be transferred to **Deutsche Bank National Trust Company, as Trustee of the Home Equity Mortgage Loan Asset-Backed Trust Series INABS 2006-D, Home Equity Mortgage Loan Asset-Backed Certificates, Series INABS 2006-D under the Pooling and Servicing agreement dated Sept 1, 2006, 888 East Walnut Street, Pasadena, California 91101** in the deed poll.

If you are in need of any further information, please contact me. Thank you for your cooperation in this matter.

Very truly yours,

  
Samantha Emerson

TJM/se  
Enclosures

133458

MCCABE, WEISBERG & CONWAY, P.C.

ATTORNEYS AT LAW  
123 S. BROAD STREET SUITE 2080  
PHILADELPHIA, PA 19109



WMCA:110VIA

3-50/310

NUMBER

AV: Four Hundred Fifty Six \*\*\*\*\* 34/10C

DATE AMOUNT  
Feb 17/2011 \$456.34  
ATTORNEY'S ACCOUNT  
VOID AFTER 90 DAYS

THE Sheriff of Columbia County  
ANDER

*[Signature]*

Balance Due Sheriff - 293-0049

133458 103100050310000012430048

## CRITERIA

Field	Beginning Value	Ending Value	And/Or
Doc Ref #	163ed2010%	To	
		To	
		To	
		To	

## RESULTS

Trans #	Ship To ID	ConsName	Shipper	Doc Ref #	Ship Date	Carrier	Tracking #	Planned	Group ID	PackageGrpID	AccountID	S
41358	41358	COMMONWEALTH OF PA	Sheriff	163ED2010	11/8/2010	POST	9171924291001000005681	1				
41359	41359	COMMONWEALTH OF PA	Sheriff	163ED2010	11/8/2010	POST	9171924291001000005688	1				
41360	41360	COMMONWEALTH OF PA	Sheriff	163ED2010	11/8/2010	POST	9171924291001000005704	1				
41361	41361	DEPT OF PUBLIC WELFARE	Sheriff	163ED2010	11/8/2010	POST	9171924291001000005711	1				
41362	41362	USA C/O ATTY FOR MIDDLE DISTRICT	Sheriff	163ED2010	11/8/2010	POST	9171924291001000005728	1				
41363	41363	USA C/O ATTY FOR MIDDLE DISTRICT	Sheriff	163ED2010	11/8/2010	POST	9171924291001000005735	1				
41364	41364	USA ATTY GEN OF US	Sheriff	163ED2010	11/8/2010	POST	9171924291001000005742	1				
41365	CDP	COMMONWEALTH OF PENNSYLVANIA	Sheriff	163ED2010	11/8/2010	POST	9171924291001000005759	1				
41367	FAIR	OFFICE OF F.A.I.R.	Sheriff	163ED2010	11/8/2010	POST	9171924291001000005766	1				
41368	SBA	U.S. Small Business Administration	Sheriff	163ED2010	11/8/2010	POST	9171924291001000005773	1				
41369	IRS	INTERNAL REVENUE SERVICE	Sheriff	163ED2010	11/8/2010	POST	9171924291001000005780	1				

Records: 1 - 11 of 11



Date Produced: 11/15/2010

COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 5698. Our records indicate that this item was delivered on 11/12/2010 at 12:28 p.m. in PHILADELPHIA, PA, 19107. The scanned image of the recipient information is provided below.

Signature of Recipient:

A scanned image of a handwritten signature in black ink, appearing to read "D. Calabro", written within a rectangular box.

Address of Recipient:

A scanned image of a recipient address, mostly illegible due to blurring and low contrast, contained within a rectangular box.

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 163ED2010



Date Produced: 11/15/2010

COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 5711. Our records indicate that this item was delivered on 11/10/2010 at 07:10 a.m. in HARRISBURG, PA, 17107. The scanned image of the recipient information is provided below.

Signature of Recipient:

*[Handwritten signature]*  
CRIS  
DROZDZINSKI

Address of Recipient:

*[Handwritten address]*  
D.P.M.

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 163ED2010





Date Produced: 11/22/2010

COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 5728. Our records indicate that this item was delivered on 11/17/2010 at 07:45 a.m. in SCRANTON, PA, 18501. The scanned image of the recipient information is provided below.

Signature of Recipient:

A handwritten signature in black ink, appearing to read "Sharon H. Jones", written over a horizontal line.

Address of Recipient:

A rectangular area where the recipient's address has been redacted, showing only a dark, textured background.

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 163ED2010



Date Produced: 11/22/2010

COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 5735. Our records indicate that this item was delivered on 11/15/2010 at 08:23 a.m. in HARRISBURG, PA, 17108. The scanned image of the recipient information is provided below.

Signature of Recipient:

*Susan Melendez*  
*Susan Melendez*

Address of Recipient:

*P.O. Box 11754*

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 163ED2010

TIMOTHY T. CHAMBERLAIN



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

PHONE  
(570) 389-5622

24 HOUR PHONE  
(570) 784-6300

ONE WEST BANK FSB

Docket # 163ED2010

VS


MORTGAGE FORECLOSURE

JAMES B BOGART

AFFIDAVIT OF SERVICE

NOW, THIS FRIDAY, NOVEMBER 12, 2010, AT 3:50 PM, SERVED THE WITHIN MORTGAGE FORECLOSURE UPON JAMES BOGART AT 613 MULBERRY STREET, BERWICK BY HANDING TO JAMES BOGART, , A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT AND MADE KNOWN TO THEM THE CONTENTS THEREOF.

SWORN AND SUBSCRIBED BEFORE ME  
THIS MONDAY, NOVEMBER 15, 2010

  
NOTARY PUBLIC

Notarial Seal  
SARAH JANE KLINGAMAN  
Notary Public

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

SO ANSWERS,

  
SHERIFF TIMOTHY T. CHAMBERLAIN

X   
P. D'ANGELO  
DEPUTY SHERIFF

LAW OFFICES  
**McCABE, WEISBERG & CONWAY, P.C.**

SUITE 2080  
123 SOUTH BROAD STREET  
PHILADELPHIA, PA 19109  
(215) 790-1010  
FAX (215) 790-1274

TERRENCE J. McCABE\*\*\*  
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EDWARD D. CONWAY \*\*  
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SCOTT TAGGART\*  
MARISA COHEN\*  
KATHERINE SANTANGINI\*\*  
JASON BROOKS†  
FAITH MIROS \*\*  
ERIN BRADY \*\*  
KEVIN T. MCQUAIL \*\*  
RABIIAH SCOTT \*\*  
ALEXANDRA T. GARCIA\*  
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FAX (301) 490-1568  
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SUITE 201  
4021 UNIVERSITY DRIVE  
FAIRFAX, VA 22030  
(866) 656-0379

December 6, 2010

Prothonotary's Office  
Columbia County Courthouse  
35 West Main Street  
Bloomsburg, Pennsylvania 17815

Re: OneWest Bank FSB vs. James B. Bogart  
Columbia County, No. 2009-CV-1636  
Premises: 708-710 Market Street, Berwick, Pennsylvania 18603

Dear Sir or Madam:

Kindly file the enclosed Affidavit of Service regarding the above matter. The Sheriff Sale is scheduled for **February 9, 2011 at 9:30 a.m.** Please return the copies to me in the stamped self-addressed envelope provided.

Please advise promptly if there are any problems in this regard.

Thank you for your assistance in this matter.

Sincerely,

Megan Paolucci, Legal Assistant  
McCabe, Weisberg and Conway, P.C.

TJM/mcp

cc: **Office of the Sheriff/Real Estate Division**

*This is a communication from a debt collector.*

*This letter may be an attempt to collect a debt and any information obtained will be used for that purpose.*

**McCABE, WEISBERG AND CONWAY, P.C.**

**BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496**  
**MARC S. WEISBERG, ESQUIRE - ID # 17616**  
**EDWARD D. CONWAY, ESQUIRE - ID # 34687**  
**MARGARET GAIRO, ESQUIRE - ID # 34419**

**Attorneys for Plaintiff**

**123 South Broad Street, Suite 2080**  
**Philadelphia, Pennsylvania 19109**  
**(215) 790-1010**

OneWest Bank FSB

Plaintiff

v.

James B. Bogart

Defendant

COLUMBIA COUNTY  
COURT OF COMMON PLEAS

Number 2009-CV-1636

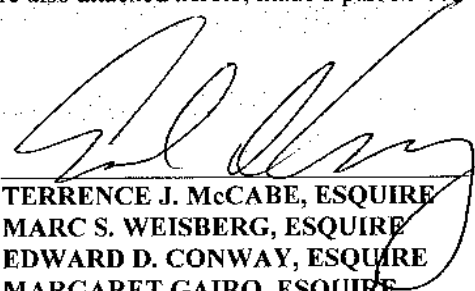
**AFFIDAVIT OF SERVICE**

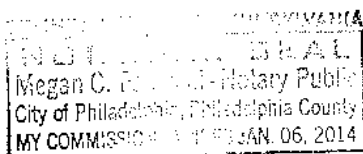
I, the undersigned attorney for the Plaintiff in the within matter, hereby certify that on the 3<sup>rd</sup> day of December, 2010, a true and correct copy of the Notice of Sheriff's Sale of Real Property was served on all pertinent lienholder(s) as set forth in the Affidavit Pursuant to 3129 which is attached hereto as Exhibit "A."

Copies of the letter and certificates of mailing are also attached hereto, made a part hereof and marked as Exhibit "B."

SWORN AND SUBSCRIBED  
BEFORE ME THIS 6<sup>th</sup> DAY  
OF December, 2010

Megan C. Barlucci  
NOTARY PUBLIC

  
TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
Attorneys for Plaintiff



McCABE, WEISBERG AND CONWAY, P.C.

BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496

MARC S. WEISBERG, ESQUIRE - ID # 17616

EDWARD D. CONWAY, ESQUIRE - ID # 34687

MARGARET GAIRO, ESQUIRE - ID # 34419

Attorneys for Plaintiff

123 South Broad Street, Suite 2080

Philadelphia, Pennsylvania 19109

(215) 790-1010

OneWest Bank FSB

Plaintiff

v.

James B. Bogart

Defendant

COLUMBIA COUNTY COURT OF COMMON  
PLEAS

NO: 2009-CV-1636

**AFFIDAVIT PURSUANT TO RULE 3129**

The undersigned, attorney for Plaintiff in the above action, sets forth the following information concerning the real property located at: 708-710 Market Street, Berwick, Pennsylvania 18603, as of the date the Praecipe for the Writ of Execution was filed. A copy of the description of said property being attached hereto.

1. Name and address of Owner or Reputed Owner:

Name

Address

James B. Bogart

708-710 Market Street  
Berwick, Pennsylvania 18603

2. Name and address of Defendant in the judgment:

Name

Address

James B. Bogart

708-710 Market Street  
Berwick, Pennsylvania 18603

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

Name

Address

Plaintiff herein

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

Name

Address

Plaintiff herein

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

Name

Address

None

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

Name

Address

None

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

Name	Address
Tenants/Occupants	708-710 Market Street Berwick, Pennsylvania 18603
Commonwealth of Pennsylvania	Department of Public Welfare Bureau of Child Support Enforcement P.O. Box 2675 Harrisburg, PA 17105 ATTN: Dan Richard
Commonwealth of Pennsylvania Inheritance Tax Office	110 North 8 <sup>th</sup> Street, Suite #204 Philadelphia, PA 19107
Commonwealth of Pennsylvania Bureau of Individual Tax Inheritance Tax Division	6th Floor, Strawberry Square Department #280601 Harrisburg, PA 17128
Department of Public Welfare TPL Casualty Unit Estate Recovery Program	Willow Oak Building P.O. Box 8486 Harrisburg, PA 17105-8486
PA Department of Revenue	Bureau of Compliance P.O. Box 281230 Harrisburg, PA 17128-1230
Commonwealth of Pennsylvania Department of Revenue Bureau of Compliance	Clearance Support Department 281230 Harrisburg, PA 17128-1230 ATTN: Sheriff's Sales
United States of America	Internal Revenue Service Technical Support Group William Green Federal Building Room 3259 600 Arch Street Philadelphia, PA 19106
Domestic Relations of Columbia County	700 Sawmill Road Bloomsburg, PA 17815
United States of America	c/o United States Attorney for the Middle District of PA William J. Nealon Federal Bldg. 235 North Washington Avenue, Ste. 311 Scranton, PA 18503 and Harrisburg Federal Building & Courthouse 228 Walnut Street, Ste. 220 Harrisburg, PA 17108-1754
United States of America c/o Atty General of the United States	U.S. Dept of Justice, Room 5111 950 Pennsylvania Avenue NW Washington, DC 20530-0001
United States of America c/o Atty General of the United States	U.S. Dept of Justice, Room 4400 950 Pennsylvania Avenue NW Washington, DC 20530-0001

8. Name and address of Attorney of record:

Name

Address

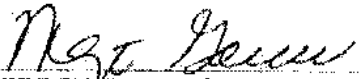
None

I verify that the statements made in this Affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.

Section 4904 relating to unsworn falsification to authorities.

November 2, 2010

DATE

  
TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
Attorneys for Plaintiff



**McCABE, WEISBERG AND CONWAY, P.C.**

**BY:   TERRENCE J. McCABE, ESQUIRE - ID # 16496**  
**MARC S. WEISBERG, ESQUIRE - ID # 17616**  
**EDWARD D. CONWAY, ESQUIRE - ID # 34687**  
**MARGARET GAIRO, ESQUIRE - ID # 34419**

**Attorneys for Plaintiff**

**123 South Broad Street, Suite 2080**  
**Philadelphia, Pennsylvania 19109**  
**(215) 790-1010**

OneWest Bank FSB

Plaintiff

v.

James B. Bogart

Defendant

COURT OF COMMON PLEAS

COLUMBIA COUNTY

Number 2009-CV-1636

DATE: December 3, 2010

TO: ALL PARTIES IN INTEREST AND CLAIMANTS

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

OWNERS: James B. Bogart

PROPERTY: 708-710 Market Street, Berwick, Pennsylvania 18603

IMPROVEMENTS: Residential Dwelling

The above-captioned property is scheduled to be sold at the Sheriff's Sale on **February 9, 2011 at 9:30 a.m.** in the Sheriff's Office of the Columbia County Courthouse, Main Street, Bloomsburg, Pennsylvania 17815. Our records indicate that you may hold a mortgage or judgments and liens on, and/or other interests in the property which will be extinguished by the sale. You may wish to attend the sale to protect your interests.

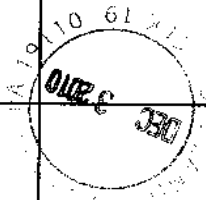
A schedule of distribution will be filed by the Sheriff on a date specified by the Sheriff not later than thirty (30) days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days after the filing of the schedule.

Name and Address of Sender  
McCabe, Weisberg and Conway, P.C.  
123 S. Broad St., Suite 2080  
Philadelphia, PA 19109  
ATTN: M. Paolucci- 38363

Check type of mail or service:

- ☐ Certified  
☐ COD  
☐ Registered  
☐ Return Receipt for Merchandise  
☐ Express Mail  
☐ Signature Confirmation  
☐ Insured  
☐ Recorded Delivery (International)

Line	Article Number	Postage
1	OneWest Bank FSB, et al v. Bogart 38363	Tenants/Occupants 708-710 Market Street Berwick, Pennsylvania 18603
2		Commonwealth of Pennsylvania Department of Public Welfare Bureau of Child Support Enforcement P.O. Box 2675 Harrisburg, PA 17105 ATTN: Dan Richard
3		Commonwealth of Pennsylvania Inheritance Tax Office 110 North 8 <sup>th</sup> Street Suite #204 Philadelphia, PA 19107
4		Commonwealth of Pennsylvania Bureau of Individual Tax Inheritance Tax Division 6th Floor, Strawberry Square Department #280601 Harrisburg, PA 17128
5		Department of Public Welfare TPL Casualty Unit Estate Recovery Program Willow Oak Building P.O. Box 8486 Harrisburg, PA 17105-8486
6		PA Department of Revenue Bureau of Compliance P.O. Box 281230 Harrisburg, PA 17128-1230
7		Commonwealth of Pennsylvania Department of Revenue Bureau of Compliance Clearance Support Department 281230 Harrisburg, PA 17128-1230 ATTN: Sheriff's Sales
8		United States of America Internal Revenue Service Technical Support Group William Green Federal Building Room 3259 600 Arch Street Philadelphia, PA 19106



02 1R  
0002095409  
MAILED FROM ZIP CODE 19109

\$ 04.65<sup>00</sup>



STATE OF PENNSYLVANIA  
COUNTY OF COLUMBIA

} SS

**SHERIFF'S SALE**

WEDNESDAY FEBRUARY 9, 2011 AT 9:30 AM  
BY VIRTUE OF A WRIT OF EXECUTION NO. 163 OF  
2010 ED AND CIVIL WRIT NO. 1636 OF 2009 JD  
ISSUED OUT OF THE COURT OF COMMON PLEAS OF  
COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECT-  
ED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY  
VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR  
CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE  
ANNOUNCED, AT THE COLUMBIA COUNTY COURT-  
HOUSE, BLOOMSBURG, PENNA., 17816, ALL THE  
RIGHT AND TITLE AND INTEREST TO THE DEFEN-  
DANTS IN AND TO:

ALL that lot of land on the easterly side of Market Street  
extending along the southerly side of Eighth Street in the  
Borough of Berwick, County of Columbia and State of  
Pennsylvania, bounded and described as follows, to wit:  
BEGINNING at a corner on Market Street at the north-  
westerly corner of land now or late of B.G. Kinetob;  
thence along Market Street, a distance of 60-1/2 feet to  
the southeasterly corner at the point of intersection of  
Eighth Street with Market Street; thence easterly along  
Eighth Street a distance of 148 feet to corner of land now  
or late of H.W. Beishline; thence southerly along land now  
or late of the said H.W. Beishline on a line parallel with  
Market Street aforesaid and the first course herein a dis-  
tance of 60-1/2 feet to land now or late of B.G. Kinetob;  
thence westerly along land now or late of said B.G. Kine-  
tob on a line parallel with Eighth Street a distance of 148  
feet to the place of beginning.

CONTAINING 8,954 square feet of land.  
BEING KNOWN AS: 708-710 MARKET STREET,  
BERWICK, PENNSYLVANIA 18603  
TAX I.D.#: 04A-04-051

THE IMPROVEMENTS THEREON ARE RESIDENTIAL  
DWELLING

BEING THE SAME PREMISES WHICH JAMES B. BOGA-  
RT AND COLETTE D. BOGART, husband and wife, by  
deed dated August 24, 2006 and recorded September  
14, 2006 in the office of the Recorder in and for Colum-  
bia County in Deed Instrument #200609620, granted  
and conveyed to James B. Bogart.

**TERMS OF SALE**

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

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

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

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

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

Plaintiff's Attorney  
Terrence J. McCabe  
123 South Broad Street  
Philadelphia, PA 19109

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

ording to law deposes and says that Press Enterprise is  
its principal office and place of business at 3185  
County of Columbia and State of Pennsylvania, and was  
2002, and has been published daily, continuously in said  
and on the attached notice January 19, 26 and February 2,  
he affiant is one of the officers or publisher or designated  
newspaper in which legal advertisement was published;  
prise is interested in the subject matter of said notice and  
tions in the foregoing statement as to time, place, and

this 3<sup>rd</sup> day of February, 2011

(Notary Public)

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Dennis L. Ashenfalter, Notary Public

Scott Twp., Columbia County

My Commission Expires July 3, 2011

Member, Pennsylvania Association of Notaries

.. 20....., I hereby certify that the advertising and  
.....for publishing the foregoing notice, and the  
all.

TIMOTHY T. CHAMBERLAIN



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

PHONE  
(570) 389-5622

24 HOUR PHONE  
(570) 784-6300

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

ONE WEST BANK FSB

VS.

JAMES BOGART

WRIT OF EXECUTION #163 2010 ED

POSTING OF PROPERTY

January 5, 2011 POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE  
PROPERTY OF JAMES BOGART AT 708-710 MARKET STREET BERWICK  
COLUMBIA COUNTY PENNSYLVANIA. SAID POSTING PERFORMED BY  
COLUMBIA COUNTY DEPUTY SHERIFF PAUL D'ANGELO.

SO ANSWERS:

A handwritten signature in black ink, appearing to read "Paul D'Angelo", written over a horizontal line.

DEPUTY SHERIFF

A handwritten signature in black ink, appearing to read "Timothy T. Chamberlain", written over a horizontal line.

TIMOTHY T. CHAMBERLAIN  
SHERIFF

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 5<sup>TH</sup> DAY OF JANUARY 2011

A handwritten signature in black ink, appearing to read "Sarah Jane Klingman", written over a horizontal line.

SARAH JANE KLINGMAN  
Notary Public  
Columbia County, Pennsylvania

My Comm. Expires: 12/31/2012  
My Notary Public No. is: 123456



December 2, 2010

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

**ONE WEST BANK FSB**

**VS.**

**JAMES B. BOGART**

**DOCKET # 163ED2010**

**JD # 1636JD2009**

Dear Timothy:

The amount due on the sewer account #105130 for the property located at 708-710 Market Street Berwick, Pa through March 2011 is \$528.82.

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

Sincerely,

Kelly Noss  
Authority Clerk

*Hearing Impaired 711*

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

*Hearing Impaired 711*

1108 Freas Avenue • Berwick, Pennsylvania 18603 *"BAJSA is an Equal Opportunity Provider and Provider"*

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

TIMOTHY T. CHAMBERLAIN



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

PHONE  
(570) 389-5622

24 HOUR PHONE  
(570) 784-6300

ONE WEST BANK FSB

Docket # 163ED2010

VS

MORTGAGE FORECLOSURE

JAMES B BOGART

AFFIDAVIT OF SERVICE

NOW, THIS FRIDAY, NOVEMBER 12, 2010, AT 11:55 AM, SERVED THE WITHIN MORTGAGE FORECLOSURE UPON TENANT(S) AT 710 MARKET STREET BERWICK, BY HANDING TO GARY JONES, OCCUPANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT AND MADE KNOWN TO THEM THE CONTENTS THEREOF.

SWORN AND SUBSCRIBED BEFORE ME  
THIS MONDAY, NOVEMBER 15, 2010

  
NOTARY PUBLIC

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

SO ANSWERS,

  
SHERIFF TIMOTHY T. CHAMBERLAIN

X   
P. D'ANGELO  
DEPUTY SHERIFF

**Tax Notice** 2010 County & Municipality

BERWICK BORO

**MAKE CHECKS PAYABLE TO:**

Connie C Gingher  
1615 Lincoln Avenue  
Berwick PA 18603

**HOURS:** MON, TUE, THUR : 9:30 AM - 4 PM  
CLOSED WEDNESDAY & FRIDAYS  
CLOSED HOLIDAYS

**PHONE:** 570-752-7442

FO. COLUMBIA County

DATE  
1/2010BILL NO.  
2679

DESCRIPTION	ASSESSMENT	MILLS	LESS DISCOUNT	TAX AMOUNT DUE	INCL PENALTY
GENERAL	18,540	6.146	111.67	113.95	125.35
SINKING		1.345	24.44	24.94	27.43
FIRE		1.25	22.72	23.18	24.34
LIGHT		1.75	31.80	32.45	34.07
BORO RE		11.1	201.67	205.79	216.08
The discount & penalty have been calculated for your convenience			<b>392.30</b> April 30 If paid on or before	400.31 June 30 If paid on or before	427.27 June 30 If paid after
<b>PAY THIS AMOUNT</b>					

**TAXES ARE DUE & PAYABLE - PROMPT PAYMENT IS REQUESTED**

BOGART JAMES B  
710 N MARKET ST  
BERWICK PA 18603

CNTY TWP  
Discount 2 % 2 %  
Penalty 10 % 5 %  
PARCEL: 04A-04-051-00,000  
708 710 MARKET ST  
.2073 Acres Land 3,611  
Buildings 14,929  
Total Assessment 18,540

This tax returned to  
courthouse on:  
January 1, 2011

FILE COPY

If you desire a receipt, send a self-addressed stamped envelope with your payment

**THIS TAX NOTICE MUST BE RETURNED WITH YOUR PAYMENT****CONNIE C. GINGHER**

4/30/10

**BERWICK AREA SCHOOL DISTRICT 2010 SCHOOL REAL ESTATE DATE 07/01/2010 BILL# 000384**

BERWICK BOROUGH

**MAKE CHECKS PAYABLE TO:**

CONNIE C. GINGHER  
1615 LINCOLN AVENUE  
BERWICK, PA 18603

**HOURS** Mon, Tue, Thur, 9:30am-4:00pm  
Closed Wednesday and Friday  
Closed Holidays  
**PHONE** 570-752-7442

DESCRIPTION	ASSESSMENT	RATE	2% DISC	FACE AMOUNT	10% PENALTY
REAL ESTATE	18540	45.0000	817.61	834.30	917.73
<b>PAY THIS AMOUNT</b>			<b>817.61</b> IF PAID ON OR BEFORE Aug. 31	834.30 IF PAID ON OR BEFORE Oct. 31	917.73 IF PAID AFTER Nov. 1

NO REFUNDS UNDER \$5.00

PROPERTY DESCRIPTION		ACCT.
PARCEL 04A04 05100000		5183
708710 MARKET ST	3611.00	SCHOOL PENALTY 10%
20060-9620	14929.00	DELINQUENT TAX TO
0.21 ACRES		COURTHOUSE DEC. 15

MAKE SEPERATE CHECKS FOR SCHOOL PAYMENT

8-31-10

M  
A  
I  
L  
  
T  
O

BOGART JAMES B  
710 N MARKET ST  
BERWICK PA 18603

Kim,

The taxes were paid by Mortgage Co.

Connie



# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: P. D'ANGELO  
DATE RECEIVED 11/5/2010

SERVICE# 1 - OF - 18 SERVICES  
DOCKET # 163ED2010

PLAINTIFF ONE WEST BANK FSB

DEFENDANT JAMES B BOGART  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

441-1552  
1552

**PERSON/CORP TO SERVED**

JAMES BOGART

708-710 MARKET STREET

BERWICK

**PAPERS TO SERVED**

MORTGAGE FORECLOSURE

613 MULBERRY ST. (330)

SERVED UPON JAMES BOGART

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

DATE 11-12-10 TIME 1550 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

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

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

F. OTHER (SPECIFY) 613 MULBERRY ST.

BERWICK

ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

DEPUTY

[Signature] DATE 11-12-10

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: P. D'ANGELO  
DATE RECEIVED 11/5/2010

SERVICE# 2 - OF - 18 SERVICES  
DOCKET # 163ED2010

PLAINTIFF ONE WEST BANK FSB

DEFENDANT JAMES B BOGART  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

708 EMPTY

PERSON/CORP TO SERVED
TENANT(S)
708-710 MARKET STREET
BERWICK

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON EARLY JONES

RELATIONSHIP OCCUPANT 710 IDENTIFICATION \_\_\_\_\_

DATE 11-12-10 TIME 1155 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

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

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

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

### ATTEMPTS

DATE	TIME	OFFICER	REMARKS
<u>11-09-10</u>	<u>1640</u>	<u>D'ANGELO</u>	<u>4c</u>

DEPUTY

P. D'ANGELO DATE 11-12-10

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: P. D'ANGELO  
DATE RECEIVED 11/5/2010

SERVICE# 10 - OF - 18 SERVICES  
DOCKET # 163ED2010

PLAINTIFF ONE WEST BANK FSB

DEFENDANT JAMES B BOGART  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

<b>PERSON/CORP TO SERVED</b>
BERWICK SEWER
1108 FREAS AVE.
BERWICK

**PAPERS TO SERVED**  
MORTGAGE FORECLOSURE

SERVED UPON GLORIA BOBERSKI

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

DATE 11-10-10 TIME 1510 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

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

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

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

ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

DEPUTY

P. D'Angelo DATE 11-10-10

# COLUMBIA COUNTY SHERIFF'S OFFICE PROCESS SERVICE ORDER

OFFICER: P. D'ANGELO

DATE RECEIVED 11/5/2010

SERVICE# 11 - OF - 18 SERVICES

DOCKET # 163ED2010

PLAINTIFF

ONE WEST BANK FSB

DEFENDANT

JAMES B BOGART

ATTORNEY FIRM

McCabe, Weisberg and Conway, PC

<b>PERSON/CORP TO SERVED</b>
CONNIE GINGHER-TAX COLLECTOR
1615 LINCOLN AVE
BERWICK

**PAPERS TO SERVED**

MORTGAGE FORECLOSURE

SERVED UPON

*DOSYD*

RELATIONSHIP

IDENTIFICATION

DATE *11-10-10*

TIME

*1505*

MILEAGE

OTHER

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

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

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

ATTEMPTS

DATE

TIME

OFFICER

REMARKS

DEPUTY

*[Signature]*

DATE

*11-10-10*

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 11/5/2010

SERVICE# 12 - OF - 18 SERVICES  
DOCKET # 163ED2010

PLAINTIFF ONE WEST BANK FSB

DEFENDANT JAMES B BOGART  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

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

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON CHRIS NARDI

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

DATE 11-09-10 TIME 0835 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

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

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

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

ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

DEPUTY

DATE

11-09-10

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 11/5/2010

SERVICE# 15 - OF - 18 SERVICES  
DOCKET # 163ED2010

PLAINTIFF ONE WEST BANK FSB

DEFENDANT JAMES B BOGART  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

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

**PAPERS TO SERVED**  
MORTGAGE FORECLOSURE

SERVED UPON HEATHER AYAST

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

DATE 11-09-10 TIME 0820 MILEAGE \_\_\_\_\_ OTHER \_\_\_\_\_

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

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

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

ATTEMPTS

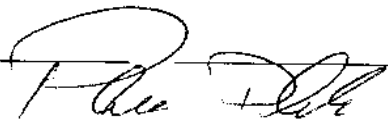
DATE

TIME

OFFICER

REMARKS

DEPUTY

 DATE 11-09-10

JUNTY OF COLUMBIA  
TAX CLAIM BUREAU  
PO BOX 380  
BLOOMSBURG PA 17815  
REAL ESTATE TAX LIEN CERTIFICATE

DATE:09-NOV-10

FEE:\$5.00

CERT. NO8980

BOGART JAMES B  
710 N MARKET ST  
BERWICK PA 18603

DISTRICT: BERWICK BORO  
DEED  
LOCATION: 710 MARKET ST  
PARCEL: 04A-04 -051-00,000

YEAR	BILL ROLL	AMOUNT	INTEREST	PENDING- COSTS	TOTAL AMOUNT DUE
2009	PRIM	0.00	0.00	0.00	0.00
TOTAL DUE :					\$0.00

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

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

REQUESTED BY:

*Timothy T. Chamberlain, Sheriff*  
*(Signature)*

# SHERIFF'S SALE

WEDNESDAY FEBRUARY 9, 2011 AT 9:30 AM

BY VIRTUE OF A WRIT OF EXECUTION NO. 163 OF 2010 ED AND CIVIL WRIT NO. 1636 OF 2009 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

ALL that lot of land on the easterly side of Market Street extending along the southerly side of Eighth Street in the Borough of Berwick, County of Columbia and State of Pennsylvania, bounded and described as follows, to wit:  
BEGINNING at a corner on Market Street at the northwesterly corner of land now or late of B.G. Klinetob; thence along Market Street, a distance of 60-1/2 feet to the southeasterly corner at the point of intersection of Eighth Street with Market Street; thence easterly along Eighth Street a distance of 148 feet to corner of land now or late of H.W. Beishline; thence southerly along land now or late of the said H.W. Beishline on a line parallel with Market Street aforesaid and the first course herein a distance of 60-1/2 feet to land now or late of B.G. Klinetob; thence westerly along land now or late of said B.G. Klinetob on a line parallel with Eighth Street a distance of 148 feet to the place of beginning.  
CONTAINING 8,954 square feet of land.  
BEING KNOWN AS: 708-710 MARKET STREET, BERWICK, PENNSYLVANIA 18603  
TAX I.D.#: 04A-04-051  
THE IMPROVEMENTS THEREON ARE: RESIDENTIAL DWELLING  
BEING THE SAME PREMISES WHICH JAMES B. BOGART AND COLETTE D. BOGART, husband and wife, by deed dated August 24, 2006 and recorded September 14, 2006 in the office of the Recorder in and for Columbia County in Deed Instrument #200609620, granted and conveyed to James B. Bogart.

## TERMS OF SALE

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

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

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

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

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

Plaintiff's Attorney  
Terrence J. McCabe  
123 South Broad Street  
Philadelphia, PA 19109

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



Document Receipt

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Trans # 41358 Carrier / service: POST 2PM 11/8/2010

Ship to: 41358

COMMONWEALTH OF PA

PO BOX 2675

Tracking #: 9171924291001000005681

Doc Ref #: 163ED2010

HARRISBURG PA 17105

Document Receipt

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Trans # 41359 Carrier / service: POST 2PM 11/8/2010

Ship to: 41359

COMMONWEALTH OF PA

110 NORTH 8TH STREET

Tracking #: 9171924291001000005698

Doc Ref #: 163ED2010

PHILADELPHIA PA 19107

Document Receipt

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Trans # 41360 Carrier / service: POST 2PM 11/8/2010

Ship to: 41360

COMMONWEALTH OF PA

DEPT 280601

Tracking #: 9171924291001000005704

Doc Ref #: 163ED2010

HARRISBURG PA 17128

Document Receipt

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Trans # 41361 Carrier / service: POST 2PM 11/8/2010

Ship to: 41361

DEPT OF PUBLIC WELFARE

PO BOX 8486

Tracking #: 9171924291001000005711

Doc Ref #: 163ED2010

HARRISBURG PA 17105

Document Receipt

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Trans # 41362 Carrier / service: POST 2PM 11/8/2010

Ship to: 41362

USA C/O ATTY FOR MIDDLE DISTRICT

235 NORTH WASHINGTON STREET

Tracking #: 9171924291001000005728

Doc Ref #: 163ED2010

SCRANTON PA 18503

Document Receipt

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Trans # 41363 Carrier / service: POST 2PM 11/8/2010

Ship to: 41363

USA C/O ATTY FOR MIDDLE DISTRICT

228 WALNUT STREET

Tracking #: 9171924291001000005735

Doc Ref #: 163ED2010

HARRISBURG PA 17108

Document Receipt

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Trans # 41364 Carrier / service: POST 2PM 11/8/2010

Ship to: 41364

USA ATTY GEN OF US

950 PENNSYLVANIA AVE NW

Tracking #: 9171924291001000005742

Doc Ref #: 163ED2010

WASHINGTON DC 20530

Document Receipt

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Trans # 41365 Carrier / service: POST 2PM 11/8/2010

Ship to: COP

COMMONWEALTH OF PENNSYLVANIA DEPT OF REV SHERIFF SALE

Tracking #: 9171924291001000005759

DEPARTMENT 281230

Doc Ref #: 163ED2010

HARRISBURG PA 17128



Document Receipt

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Trans # 41367 Carrier / service: POST 2PM 11/8/2010

Ship to: FAIR

OFFICE OF F.A.I.R.

DEPARTMENT OF PUBLIC WELFARE  
PO BOX 8016

Tracking #: 9171924291001000005766

Doc Ref #: 163ED2010

HARRISBURG PA 17105

Document Receipt

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Trans # 41368 Carrier / service: POST 2PM 11/8/2010

Ship to: SBA

U.S. Small Business Administration PHILADELPHIA DISTRICT  
OFFICE

PARKVIEW TOWERS  
1150 FIRST AVE, 10TH FLR, STE 1001

Tracking #: 9171924291001000005773

Doc Ref #: 163ED2010

KING OR PA 19406  
PRUSSIA

Document Receipt

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Trans # 41369 Carrier / service: POST 2PM 11/8/2010

Ship to: IRS

INTERNAL REVENUE SERVICE

WILLIAM GREEN FEDERAL BUILDING  
600 ARCH STREET ROOM 3259

Tracking #: 9171924291001000005780

Doc Ref #: 163ED2010

PHILADELPHIA PA 19106

# REAL ESTATE OUTLINE

ED # 163-10

DATE RECEIVED 11-5-10  
DOCKET AND INDEX 11-8-10

## CHECK FOR PROPER INFO.

WRIT OF EXECUTION ✓  
COPY OF DESCRIPTION ✓  
WHEREABOUTS OF LKA ✓  
NON-MILITARY AFFIDAVIT ✓  
NOTICES OF SHERIFF SALE ✓  
WAIVER OF WATCHMAN ✓  
AFFIDAVIT OF LIENS LIST ✓  
CHECK FOR \$1,350.00 OR 2000.00 ✓ CK# 50630

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

SALE DATE Feb. 9, 11 TIME 1130  
POSTING DATE Jan 5, 11  
ADV. DATES FOR NEWSPAPER  
1<sup>ST</sup> WEEK Jan 11  
2<sup>ND</sup> WEEK Jan 18  
3<sup>RD</sup> WEEK Jan 25, 11

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

OneWest Bank FSB

Plaintiff

v.

James B. Bogart

Defendant

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

No. \_\_\_\_\_ Term \_\_\_\_\_ E.D.

No. \_\_\_\_\_ Term \_\_\_\_\_ A.D.

No. 2009-CV-1636 Term \_\_\_\_\_ J.D.

*2010-ED-163*

**WRIT OF EXECUTION  
MORTGAGE FORECLOSURE**

**Commonwealth of Pennsylvania:**

**County of Columbia**

**TO THE SHERIFF OF COLUMBIA COUNTY, PENNSYLVANIA**

To satisfy the judgement, interest and costs in the above matter you are directed to levy upon and sell the following described property (specifically described property below):

Being Known As: 708-710 Market Street, Berwick, Pennsylvania 18603

Amount Due \$115,974.00

Interest from 11/03/09 to DATE OF SALE \$ \_\_\_\_\_  
plus \$19.06 per diem thereafter

(Costs to be added)

Total \$ \_\_\_\_\_

Dated: 11-5-10  
(SEAL)

*Tami B Kline*

Prothonotary, Common Pleas Court of  
Columbia County Penna.

By: *Kelly P Brewer* Deputy

## LEGAL DESCRIPTION

ALL that lot of land on the easterly side of Market Street extending along the southerly side of Eighth Street in the Borough of Berwick, County of Columbia and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a corner on Market Street at the northwesterly corner of land now or late of B.G. Klinetob; thence northerly along Market Street, a distance of 60-1/2 feet to the southeasterly corner at the point of intersection of Eighth Street with Market Street; thence easterly along Eighth Street a distance of 148 feet to corner of land now or late of H. W. Beishline; thence southerly along land now or late of the said H. W. Beishline on a line parallel with Market Street aforesaid and the first course herein a distance of 60-1/2 feet to land now or late of B.G. Klinetob; thence westerly along land now or late of said B.G. Klinetob on a line parallel with Eighth Street a distance of 148 feet to the place of beginning.

CONTAINING 8,954 square feet of land.

BEING KNOWN AS: 708-710 MARKET STREET, BERWICK, PENNSYLVANIA 18603

TAX I.D. #: 04A-04-051

THE IMPROVEMENTS THEREON ARE: RESIDENTIAL DWELLING

BEING THE SAME PREMISES WHICH JAMES B. BOGART AND COLETTE D. BOGART, husband and wife, by deed dated August 24, 2006 and recorded September 14, 2006 in the office of the Recorder in and for Columbia County in Deed Instrument #200609620, granted and conveyed to James B. Bogart.

REAL DEBT: \$115,974.00

SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF:  
JAMES B. BOGART

McCabe, Wesiberg and Conway, P.C.  
123 South Broad Street, Suite 2080  
Philadelphia, PA 19109

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

OneWest Bank FSB

Plaintiff

v.

James B. Bogart

Defendant

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

No. \_\_\_\_\_ Term \_\_\_\_\_ E.D.

No. \_\_\_\_\_ Term \_\_\_\_\_ A.D.

No. 2009-CV-1636 Term \_\_\_\_\_ J.D.

*2010-ED-163*  
**WRIT OF EXECUTION  
MORTGAGE FORECLOSURE**

**Commonwealth of Pennsylvania:**

**County of Columbia**

**TO THE SHERIFF OF COLUMBIA COUNTY, PENNSYLVANIA**

To satisfy the judgement, interest and costs in the above matter you are directed to levy upon and sell the following described property (specifically described property below):

Being Known As: 708-710 Market Street, Berwick, Pennsylvania 18603

Amount Due	\$115,974.00
Interest from 11/03/09 to DATE OF SALE plus \$19.06 per diem thereafter	\$ _____
(Costs to be added)	
Total	\$ _____

Dated: 11-5-10  
(SEAL)

Tamara B. Kline  
Prothonotary, Common Pleas Court of  
Columbia County Penna.

By: Kelly P. Brewer Deputy

## LEGAL DESCRIPTION

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CONTAINING 8,954 square feet of land.

BEING KNOWN AS: 708-710 MARKET STREET, BERWICK, PENNSYLVANIA 18603

TAX I.D. #: 04A-04-051

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SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF:  
JAMES B. BOGART

McCabe, Wesiberg and Conway, P.C.  
123 South Broad Street, Suite 2080  
Philadelphia, PA 19109



McCABE, WEISBERG AND CONWAY, P.C.

BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARC S. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419

Attorneys for Plaintiff

123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

OneWest Bank FSB

Plaintiff

v.

James B. Bogart

Defendant

COURT OF COMMON PLEAS

COLUMBIA COUNTY

Number 2009-CV-1636

**AFFIDAVIT OF LAST-KNOWN MAILING ADDRESS OF DEFENDANT**

The undersigned, attorney for the Plaintiff in the within matter, being duly sworn according to law, hereby depose and say that the last-known mailing address of the Defendant is:

James B. Bogart  
708-710 Market Street  
Berwick, Pennsylvania 18603

SWORN AND SUBSCRIBED  
BEFORE ME THIS 4th DAY  
OF NOVEMBER, 2010

*Barbara J. Wayne*  
NOTARY PUBLIC

Barbara J. Wayne, Notary Public  
City of Philadelphia, Philadelphia County  
MY COMMISSION EXPIRES JAN. 12, 2014

*Terrence J. McCabe*  
TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
Attorneys for Plaintiff

McCABE, WEISBERG AND CONWAY, P.C.

BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARC S. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419

Attorneys for Plaintiff

123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

OneWest Bank FSB

Plaintiff

v.

James B. Bogart

Defendant

COURT OF COMMON PLEAS

COLUMBIA COUNTY

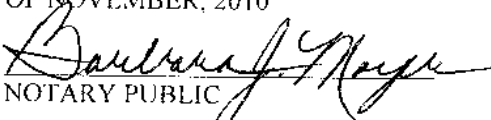
Number 2009-CV-1636

**AFFIDAVIT OF LAST-KNOWN MAILING ADDRESS OF DEFENDANT**


The undersigned, attorney for the Plaintiff in the within matter, being duly sworn according to law, hereby depose and say that the last-known mailing address of the Defendant is:

James B. Bogart  
708-710 Market Street  
Berwick, Pennsylvania 18603

SWORN AND SUBSCRIBED  
BEFORE ME THIS 4th DAY  
OF NOVEMBER, 2010

  
NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA  
**NOTARIAL SEAL**  
Barbara J. Moyer - Notary Public  
City of Philadelphia, Philadelphia County  
MY COMMISSION EXPIRES JAN. 12, 2014

  
TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
Attorneys for Plaintiff

McCABE, WEISBERG AND CONWAY, P.C.

BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARC S. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419

Attorneys for Plaintiff

123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

OneWest Bank FSB

Plaintiff

v.

James B. Bogart

Defendant

COURT OF COMMON PLEAS

COLUMBIA COUNTY

Number 2009-CV-1636

**AFFIDAVIT OF LAST-KNOWN MAILING ADDRESS OF DEFENDANT**

The undersigned, attorney for the Plaintiff in the within matter, being duly sworn according to law, hereby depose and say that the last-known mailing address of the Defendant is:

James B. Bogart  
708-710 Market Street  
Berwick, Pennsylvania 18603

SWORN AND SUBSCRIBED  
BEFORE ME THIS 4<sup>TH</sup> DAY  
OF NOVEMBER, 2010

*Barbara J. Moyer*  
NOTARY PUBLIC

*Terrence J. McCabe*  
TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
Attorneys for Plaintiff

COMMONWEALTH OF PENNSYLVANIA  
**NOTARIAL SEAL**  
Barbara J. Moyer - Notary Public  
City of Philadelphia, Philadelphia County  
MY COMMISSION EXPIRES JAN. 12, 2014

McCABE, WEISBERG AND CONWAY, P.C.

BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496

MARC S. WEISBERG, ESQUIRE - ID # 17616

EDWARD D. CONWAY, ESQUIRE - ID # 34687

MARGARET GAIRO, ESQUIRE - ID # 34419

123 South Broad Street, Suite 2080

Philadelphia, Pennsylvania 19109

(215) 790-1010

Attorneys for Plaintiff

163

OneWest Bank FSB

Plaintiff

v.

James B. Bogart

Defendant

COLUMBIA COUNTY COURT OF COMMON  
PLEAS

NO: 2009-CV-1636

**AFFIDAVIT PURSUANT TO RULE 3129**

The undersigned, attorney for Plaintiff in the above action, sets forth the following information concerning the real property located at: 708-710 Market Street, Berwick, Pennsylvania 18603, as of the date the Praecipe for the Writ of Execution was filed. A copy of the description of said property being attached hereto.

1. Name and address of Owner or Reputed Owner:

Name

Address

James B. Bogart

708-710 Market Street  
Berwick, Pennsylvania 18603

2. Name and address of Defendant in the judgment:

Name

Address

James B. Bogart

708-710 Market Street  
Berwick, Pennsylvania 18603

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

Name

Address

Plaintiff herein

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

Name

Address

Plaintiff herein

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

Name

Address

None

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

Name

Address

None

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

Name	Address
Tenants/Occupants	708-710 Market Street Berwick, Pennsylvania 18603
Commonwealth of Pennsylvania	Department of Public Welfare Bureau of Child Support Enforcement P.O. Box 2675 Harrisburg, PA 17105 ATTN: Dan Richard
Commonwealth of Pennsylvania Inheritance Tax Office	110 North 8 <sup>th</sup> Street, Suite #204 Philadelphia, PA 19107
Commonwealth of Pennsylvania Bureau of Individual Tax Inheritance Tax Division	6th Floor, Strawberry Square Department #280601 Harrisburg, PA 17128
Department of Public Welfare TPL Casualty Unit Estate Recovery Program	Willow Oak Building P.O. Box 8486 Harrisburg, PA 17105-8486
PA Department of Revenue	Bureau of Compliance P.O. Box 281230 Harrisburg, PA 17128-1230
Commonwealth of Pennsylvania Department of Revenue Bureau of Compliance	Clearance Support Department 281230 Harrisburg, PA 17128-1230 ATTN: Sheriff's Sales
United States of America	Internal Revenue Service Technical Support Group William Green Federal Building Room 3259 600 Arch Street Philadelphia, PA 19106
Domestic Relations of Columbia County	700 Sawmill Road Bloomsburg, PA 17815
United States of America	c/o United States Attorney for the Middle District of PA William J. Nealon Federal Bldg. 235 North Washington Avenue, Ste. 311 Scranton, PA 18503 and Harrisburg Federal Building & Courthouse 228 Walnut Street, Ste. 220 Harrisburg, PA 17108-1754
United States of America c/o Atty General of the United States	U.S. Dept of Justice, Room 5111 950 Pennsylvania Avenue NW Washington, DC 20530-0001
United States of America c/o Atty General of the United States	U.S. Dept of Justice, Room 4400 950 Pennsylvania Avenue NW Washington, DC 20530-0001

8. Name and address of Attorney of record:

Name

Address

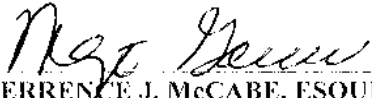
None

I verify that the statements made in this Affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.

Section 4904 relating to unsworn falsification to authorities.

November 2, 2010

DATE

  
TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
Attorneys for Plaintiff

## LEGAL DESCRIPTION

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BEGINNING at a corner on Market Street at the northwesterly corner of land now or late of B.G. Klinetob; thence northerly along Market Street, a distance of 60-1/2 feet to the southeasterly corner at the point of intersection of Eighth Street with Market Street; thence easterly along Eighth Street a distance of 148 feet to corner of land now or late of H. W. Beishline; thence southerly along land now or late of the said H. W. Beishline on a line parallel with Market Street aforesaid and the first course herein a distance of 60-1/2 feet to land now or late of B.G. Klinetob; thence westerly along land now or late of said B.G. Klinetob on a line parallel with Eighth Street a distance of 148 feet to the place of beginning.

CONTAINING 8,954 square feet of land.

BEING KNOWN AS: 708-710 MARKET STREET, BERWICK, PENNSYLVANIA 18603

TAX I.D. #: 04A-04-051

THE IMPROVEMENTS THEREON ARE: RESIDENTIAL DWELLING

BEING THE SAME PREMISES WHICH JAMES B. BOGART AND COLETTE D. BOGART, husband and wife, by deed dated August 24, 2006 and recorded September 14, 2006 in the office of the Recorder in and for Columbia County in Deed Instrument #200609620, granted and conveyed to James B. Bogart.

REAL DEBT: \$115,974.00

SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF:  
JAMES B. BOGART

McCabe, Wesiberg and Conway, P.C.  
123 South Broad Street, Suite 2080  
Philadelphia, PA 19109

**Exhibit A**

## LAW OFFICES

**McCABE, WEISBERG & CONWAY, P.C.**

SUITE 2080

123 SOUTH BROAD STREET

PHILADELPHIA, PENNSYLVANIA 19109

(215) 790-1010

FAX (215) 790-1274

TERRENCE J. McCABE--  
MARC S. WEISBERG--  
EDWARD D. CONWAY--  
MARGARET GAIRO--  
LISA L. WALLACE--  
DEBORAH K. CURRAN--  
LAURA H.G. O'SULLIVAN--  
GAYL C. SPIVAK--  
FRANK DUBIN--  
ANDREW F. MARKOWITZ--  
HEIDI R. SPIVAK--  
SCOTT TAGGART--  
MARISA COHEN--  
KATHERINE SANTANGINI--  
JASON BROOKS--  
FAITH MIROS--  
ERIN BRADY--  
KEVIN T. MCQUAIL--  
RABINAH SCOTT--  
ALEXANDRA T. GARCIA--  
CORRIN DEMENT--  
ABBY K. MOYNIHAN--  
CATHLEEN WELKER--  
ANTOINETTE N. MOORE--  
CHRISTINE GRAHAM--

See www.mccabeweisberg.com for full listing key.

SUITE 303  
216 HADDON AVENUE  
WESTMONT, NJ 08108  
(856) 858-7080  
FAX (856) 858-7020

SUITE 499  
145 HUGUENOT STREET  
NEW ROCHELLE, NY 10801  
(914)-636-8900  
FAX (914)-636-8901  
Also servicing Connecticut

SUITE 100  
8101 SANDY SPRING ROAD  
LAUREL, MD 20707  
(301) 490-3361  
FAX (301) 490-1568  
Also servicing the District of Columbia  
and Virginia

**FACSIMILE COVER LETTER**DATE: November 8, 2010TO: Columbia County Sheriff's OfficeRE: Onewest Bank FSB v. Bogart; No. 2009-CV-1636FAX NO: 570-389-5625TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 4

## MESSAGE:

Enclosed please find an affidavit of non-military service, as you requested in a phone call to our office.

Very truly yours,

Michael Augello  
MWC, P.C.  
267-479-5451



**McCABE, WEISBERG AND CONWAY, P.C.****BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496**  
**MARC S. WEISBERG, ESQUIRE - ID # 17616**  
**EDWARD D. CONWAY, ESQUIRE - ID # 34687**  
**MARGARET CAIRO, ESQUIRE - ID # 34419****Attorneys for Plaintiff****123 South Broad Street, Suite 2080**  
**Philadelphia, Pennsylvania 19109**  
**(215) 790-1010**

Onewest Bank FSB

Plaintiff

v

James B. Bogart

Defendant

COLUMBIA COUNTY  
COURT OF COMMON PLEAS

Number 2009-CV-1636

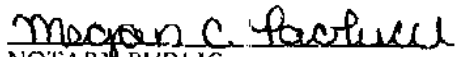
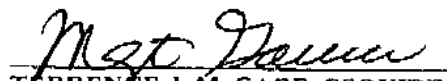
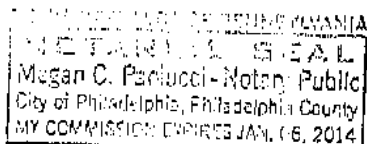
**AFFIDAVIT OF NON-MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA:

SS.

COUNTY OF COLUMBIA

The undersigned, being duly sworn according to law, deposes and says that the Defendant, James B. Bogart, is 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; and that the Defendant, James B. Bogart, is over eighteen (18) years of age, and reside as follows:

James B. Bogart  
708-710 Market Street  
Berwick, Pennsylvania 18603SWORN AND SUBSCRIBED  
BEFORE ME THIS 8th DAY  
OF NOVEMBER, 2010  
NOTARY PUBLIC  
TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET CAIRO, ESQUIRE  
Attorneys for Plaintiff

## Request for Military Status

Page 1 of 2

Department of Defense Manpower Data Center

Nov-08-2010 12:23:53

Military Status Report  
Pursuant to the Service Members Civil Relief Act

< Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
BOGART	JAMES	Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

Mary M. Snavelly-Dixon, Director  
Department of Defense - Manpower Data Center  
1600 Wilson Blvd., Suite 400  
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenseink.mil" URL <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person is on active duty and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. §521(c).

If you obtain additional information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects **active duty status** including date the individual was last on active duty, if it was within the preceding 367 days. For historical information, please contact the Service SCRA points-of-contact.

***More information on "Active Duty Status"***

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d)(1) for a period of more than 30 consecutive days. In the case of a member of the National Guard, includes service under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy TARs, Marine Corps ARs and Coast Guard RPAs. Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps) for a period of more than 30 consecutive days.

***Coverage Under the SCRA is Broader in Some Cases***

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate.

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of SCRA extend beyond the last dates of active duty.

Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

**WARNING:** This certificate was provided based on a name and SSN provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.  
Report ID:G4IVS8GK4G

McCABE, WEISBERG AND CONWAY, P.C.

BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496

MARC S. WEISBERG, ESQUIRE - ID # 17616

EDWARD D. CONWAY, ESQUIRE - ID # 34687

MARGARET GAIRO, ESQUIRE - ID # 34419

Attorneys for Plaintiff

123 South Broad Street, Suite 2080

Philadelphia, Pennsylvania 19109

(215) 790-1010

OneWest Bank FSB

Plaintiff

v.

James B. Bogart

Defendant

COLUMBIA COUNTY COURT OF COMMON  
PLEAS

NO: 2009-CV-1636

**AFFIDAVIT PURSUANT TO RULE 3129**

The undersigned, attorney for Plaintiff in the above action, sets forth the following information concerning the real property located at: 708-710 Market Street, Berwick, Pennsylvania 18603, as of the date the Praecipe for the Writ of Execution was filed. A copy of the description of said property being attached hereto.

1. Name and address of Owner or Reputed Owner:

Name

Address

James B. Bogart

708-710 Market Street  
Berwick, Pennsylvania 18603

2. Name and address of Defendant in the judgment:

Name

Address

James B. Bogart

708-710 Market Street  
Berwick, Pennsylvania 18603

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

Name

Address

Plaintiff herein

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

Name

Address

Plaintiff herein

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

Name

Address

None

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

Name

Address

None

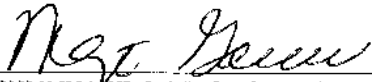
7. Name and address of every other person of whom the plaintiff has knowledge who has any interest in the property which may be affected by the sale:

Name	Address
Tenants/Occupants	708-710 Market Street Berwick, Pennsylvania 18603
Commonwealth of Pennsylvania	Department of Public Welfare Bureau of Child Support Enforcement P.O. Box 2675 Harrisburg, PA 17105 ATTN: Dan Richard
Commonwealth of Pennsylvania Inheritance Tax Office	110 North 8 <sup>th</sup> Street, Suite #204 Philadelphia, PA 19107
Commonwealth of Pennsylvania Bureau of Individual Tax Inheritance Tax Division	6th Floor, Strawberry Square Department #280601 Harrisburg, PA 17128
Department of Public Welfare TPI, Casualty Unit Estate Recovery Program	Willow Oak Building P.O. Box 8486 Harrisburg, PA 17105-8486
PA Department of Revenue	Bureau of Compliance P.O. Box 281230 Harrisburg, PA 17128-1230
Commonwealth of Pennsylvania Department of Revenue Bureau of Compliance	Clearance Support Department 281230 Harrisburg, PA 17128-1230 ATTN: Sheriff's Sales
United States of America	Internal Revenue Service Technical Support Group William Green Federal Building Room 3259 600 Arch Street Philadelphia, PA 19106
Domestic Relations of Columbia County	700 Sawmill Road Bloomsburg, PA 17815
United States of America	c/o United States Attorney for the Middle District of PA William J. Nealon Federal Bldg. 235 North Washington Avenue, Ste. 311 Scranton, PA 18503 and Harrisburg Federal Building & Courthouse 228 Walnut Street, Ste. 220 Harrisburg, PA 17108-1754
United States of America c/o Atty General of the United States	U.S. Dept of Justice, Room 5111 950 Pennsylvania Avenue NW Washington, DC 20530-0001
United States of America c/o Atty General of the United States	U.S. Dept of Justice, Room 4400 950 Pennsylvania Avenue NW Washington, DC 20530-0001

8. Name and address of Attorney of record:
- | Name | Address |
|------|---------|
| None |         |

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

November 2, 2010  
DATE

  
\_\_\_\_\_  
TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
Attorneys for Plaintiff

## LEGAL DESCRIPTION

ALL that lot of land on the easterly side of Market Street extending along the southerly side of Eighth Street in the Borough of Berwick, County of Columbia and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a corner on Market Street at the northwesterly corner of land now or late of B.G. Klinetob; thence northerly along Market Street, a distance of 60-1/2 feet to the southeasterly corner at the point of intersection of Eighth Street with Market Street; thence easterly along Eighth Street a distance of 148 feet to corner of land now or late of H. W. Beishline; thence southerly along land now or late of the said H. W. Beishline on a line parallel with Market Street aforesaid and the first course herein a distance of 60-1/2 feet to land now or late of B.G. Klinetob; thence westerly along land now or late of said B.G. Klinetob on a line parallel with Eighth Street a distance of 148 feet to the place of beginning.

CONTAINING 8,954 square feet of land.

BEING KNOWN AS: 708-710 MARKET STREET, BERWICK, PENNSYLVANIA 18603

TAX I.D. #: 04A-04-051

THE IMPROVEMENTS THEREON ARE: RESIDENTIAL DWELLING

BEING THE SAME PREMISES WHICH JAMES B. BOGART AND COLETTE D. BOGART, husband and wife, by deed dated August 24, 2006 and recorded September 14, 2006 in the office of the Recorder in and for Columbia County in Deed Instrument #200609620, granted and conveyed to James B. Bogart.

REAL DEBT: \$115,974.00

SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF:  
JAMES B. BOGART

McCabe, Wesiberg and Conway, P.C.  
123 South Broad Street, Suite 2080  
Philadelphia, PA 19109

**Exhibit A**

McCABE, WEISBERG AND CONWAY, P.C.

BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARC S. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419

Attorneys for Plaintiff

123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

**CIVIL ACTION LAW**

OneWest Bank FSB

v.

James B. Bogart

COURT OF COMMON PLEAS

COLUMBIA COUNTY

Number 2009-CV-1636

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

To: James B. Bogart  
708-710 Market Street  
Berwick, Pennsylvania 18603

Your house (real estate) at **708-710 Market Street, Berwick, Pennsylvania 18603** is scheduled to be sold at Sheriff's Sale on \_\_\_\_\_ at \_\_\_\_\_ a.m. in the Sheriff's Office of the Columbia County Courthouse, Main Street, Bloomsburg, Pennsylvania 17815 to enforce the court judgment of \$115,974.00 obtained by OneWest Bank FSB against you.

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

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

1. The sale will be canceled if you pay to OneWest Bank FSB the back payments, late charges, costs, and reasonable attorney's fees due. To find out how much you must pay, you may call McCabe, Weisberg and Conway, P.C., Esquire at (215) 790-1010.
2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.
3. You may also be able to stop the sale through other legal proceedings.

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

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

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling McCabe, Weisberg and Conway, P.C., Esquire at (215) 790-1010.
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 on the sale. To find out if this has happened, you may call McCabe, Weisberg and Conway, P.C. at (215) 790-1010.



4. If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.
5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You may be entitled to a share of the money which was paid for your real estate. A schedule of distribution of the money bid for your real estate will be filed by the Sheriff within thirty (30) days of the sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed schedule of distribution is wrong) are filed with the Sheriff within ten (10) days after the posting of the schedule of distribution.
7. You may also have other rights and defenses, or ways of getting your real estate 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

**LAWYER REFERRAL SERVICE**

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

**ASSOCIATION DE LICENCIADOS**

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

## LEGAL DESCRIPTION

ALL that lot of land on the easterly side of Market Street extending along the southerly side of Eighth Street in the Borough of Berwick, County of Columbia and State of Pennsylvania, bounded and described as follows, to wit:

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McCABE, WEISBERG AND CONWAY, P.C.

BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARC S. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419

Attorneys for Plaintiff

123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

OneWest Bank PSB

Plaintiff

v.

James B. Bogart

Defendant

COURT OF COMMON PLEAS

COLUMBIA COUNTY

Number 2009-CV-1636

TO: Sheriff of Columbia County  
Columbia County Courthouse  
35 West Main Street  
Bloomsburg, Pennsylvania 17815

SIR OR MADAM:

There will be placed in your hands for service a Writ (Order) of Execution in the above-captioned matter.

**INSTRUCTIONS**

You are hereby directed to post, levy upon, and sell the property described as follows:  
**708-710 Market Street, Berwick, Pennsylvania 18603**  
(more fully described as attached)

The parties to be served and their proper addresses are as follows:

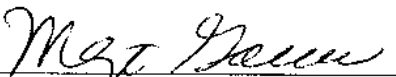
James B. Bogart  
708-710 Market Street  
Berwick, Pennsylvania 18603

**WAIVER OF WATCHMAN**

Any deputy sheriff levying upon or attaching any property under within Writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of 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.

November 2, 2010

DATE

  
TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
Attorneys for Plaintiff

McCABE, WEISBERG AND CONWAY, P.C.

BY: **TERRENCE J. McCABE, ESQUIRE - ID # 16496**  
**MARC S. WEISBERG, ESQUIRE - ID # 17616**  
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**MARGARET GAIRO, ESQUIRE - ID # 34419**

Attorneys for Plaintiff

123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

OneWest Bank FSB

Plaintiff

v.

James B. Bogart

Defendant

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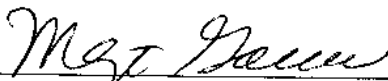
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November 2, 2010

DATE

  
**TERRENCE J. McCABE, ESQUIRE**  
**MARC S. WEISBERG, ESQUIRE**  
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**MARGARET GAIRO, ESQUIRE**  
Attorneys for Plaintiff

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Attorneys for Plaintiff

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Philadelphia, Pennsylvania 19109  
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OneWest Bank FSB

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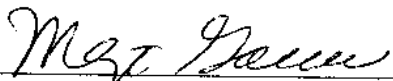
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November 2, 2010

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**TERRENCE J. McCABE, ESQUIRE**  
**MARC S. WEISBERG, ESQUIRE**  
**EDWARD D. CONWAY, ESQUIRE**  
**MARGARET GAIR, ESQUIRE**  
Attorneys for Plaintiff

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123 South Broad Street, Suite 2080  
Philadelphia, PA 19109

50630

**McCABE, WEISBERG & CONWAY, P.C.**

ATTORNEYS AT LAW  
123 S. BROAD STREET SUITE 2080  
PHILADELPHIA, PA 19109



WACHOVIA

3-50/310

NUMBER

00/100

PAY: Two Thousand

AMOUNT

\$2,000.00

DATE

Nov 3/2010

TO THE Sheriff of Columbia County

ORDER

OF

Listing Property for Sheriff Sale - 293-0049 Bogart

ESCROW TRUST  
VOID AFTER 90 DAYS

*Margaret Bogart*

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

⑈050630⑈ ⑈03⑈000503⑈ 200001243002⑈