

STATE OF PENNSYLVANIA  
COUNTY OF COLUMBIA } SS

James T Micklow, Treasurer 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 June 2, 9, 16, 2010 as printed and published; that the affiant is one of the officers or publisher or designated agent of the owner or publisher of said newspaper in which legal advertisement was published; that neither the affiant nor Press Enterprise is interested in the subject matter of said notice and advertisement and that all of the allegations in the foregoing statement as to time, place, and character of publication are true.

James T Micklow, Treasurer

Sworn and subscribed to before me this 17th day of June 2010.

(Signature)

(Notary Public)

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Dennis L. Ashenfelder, Notary Public

Scott Twp., Columbia County

My Commission Expires July 3, 2011

Member, Pennsylvania Association of Notaries

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

.....



August 3, 2010

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

**DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR  
MORGAN STANLEY CAPI**

**VS.**

**CHAD KILLIAN  
HEATHER KILLIAN**

**DOCKET # 59ED2010**

**JD # 1796JD2009**

Dear Timothy:

The updated amount due on the sewer account #600314 for the property located at 7619A Columbia Blvd Berwick, Pa through September 30, 2010 is \$1670.13.

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*

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

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



Date Produced: 05/03/2010

COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1263. Our records indicate that this item was delivered on 04/26/2010 at 02:54 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, appearing to be "J. J. [illegible]", written in dark ink on a light background.

Address of Recipient:

A scanned image of a handwritten address, appearing to be "110 N. 8th St.", written in dark ink on a light 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: 59ED2010



Date Produced: 05/03/2010

COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1270. Our records indicate that this item was delivered on 04/26/2010 at 10:03 a.m. in HARRISBURG, PA, 17107. The scanned image of the recipient information is provided below.

Signature of Recipient:

A handwritten signature in black ink, appearing to read "Joseph M. Brown".

Address of Recipient:

A handwritten address in black ink, appearing to read "Edwin", "1000 Broadview St", "Harrisburg, PA 17107".

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: 59ED2010



Date Produced: 05/03/2010

COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1287. Our records indicate that this item was delivered on 04/28/2010 at 07:06 a.m. in HARRISBURG, PA, 17107. The scanned image of the recipient information is provided below.

Signature of Recipient:

*[Handwritten signature]*  
*L. Sommer*  
*Walton*

Address of Recipient:

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: 59ED2010

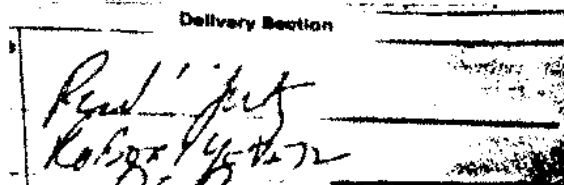


Date Produced: 05/03/2010

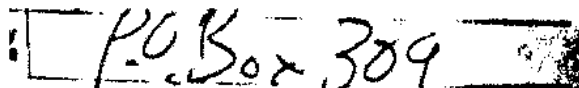
COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1294. Our records indicate that this item was delivered on 04/29/2010 at 07:33 a.m. in SCRANTON, PA, 18501. The scanned image of the recipient information is provided below.

Signature of Recipient:



Address of Recipient:



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: 59ED2010



Date Produced: 05/03/2010

COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ Item number 7192 4291 0010 0000 1300. Our records indicate that this item was delivered on 04/29/2010 at 08:26 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*  
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: 59ED2010



Date Produced: 05/03/2010

COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1317. Our records indicate that this item was delivered on 04/26/2010 at 10:03 a.m. in HARRISBURG, PA, 17107. The scanned image of the recipient information is provided below.

Signature of Recipient:

A handwritten signature in black ink, appearing to read "Joseph M. Mann".

Address of Recipient:

A handwritten address in black ink, which is mostly illegible but appears to include "Harrisburg, PA" and "17107".

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: 59ED2010





Date Produced: 05/03/2010

COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1331. Our records indicate that this item was delivered on 04/26/2010 at 11:31 a.m. in KING OF PRUSSIA, PA, 19406. The scanned image of the recipient information is provided below.

Signature of Recipient:

Two handwritten signatures are visible on a lined background. The first signature is written in dark ink and appears to be "Kurt Agnew". The second signature is written in a lighter ink and also appears to be "Kurt Agnew".

Address of Recipient:

Handwritten address information on a lined background. The text includes "5134", "115 1st Ave", and "#1001".

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: 59ED2010





Date Produced: 05/03/2010


COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1348. Our records indicate that this item was delivered on 04/26/2010 at 08:32 a.m. in PHILADELPHIA, PA, 19106. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
Signature	
Initials	

Address of Recipient:

Address	
---------	---

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: 59ED2010

TERRENCE J. McCABE\*\*\*  
MARC S. WEISBERG\*\*  
EDWARD D. CONWAY\*\*  
MARGARET GAJRO\*\*  
LISA L. WALLACE+†  
DEBORAH K. CURRAN±  
LAURA H.G. O'SULLIVAN±  
GAYL C. SPIVAK\*=  
FRANK DUBIN\*\*  
ANDREW L. MARKOWITZ\*\*  
HEIDI R. SPIVAK\*  
SCOTT TAGGART\*  
MARISA COHEN\*  
KATHERINE SANTANGINI\*\*  
JASON BROOKS †  
STEPHANIE H. HURLEY\*\*  
DIANN GREEN <  
MATTHEW CONNOR\*  
FAITH MIROS <  
ERIN BRADY\*\*  
AARON D. NEAL\*\*  
KEVIN T. MCQUAIL\*\*  
RUHI MIRZA >

\* Licensed in PA  
\* Licensed in PA & NJ  
\*\* Licensed in PA & NY  
^ Licensed in NY  
^ Licensed in NJ  
+ Licensed in PA & WA  
\*\*\* Licensed in PA, NJ & NY  
† Licensed in NY & CT  
+ Licensed in MD & DC  
\*\* Licensed in MD  
+ Managing Attorney for NY  
+ Managing Attorney for MD  
= Managing Attorney for NJ  
< Licensed in VA  
< Licensed in CT & NJ  
> Licensed in MD & VA

LAW OFFICE  
McCABE, WEISBERG & CONWAY, P.C.  
SUITE 20  
123 SOUTH BROOK STREET  
PHILADELPHIA 19109  
(215) 790-274  
FAX (215) 274

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

May 19, 2010

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

Re: Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi vs. Chad Killian and Heather Killian  
Columbia County, No. 2009 CV 1796  
Premises: 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603

Dear Sir or Madam:

Kindly file the enclosed Affidavit of Service regarding the above matter. 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,

McCabe, Weisberg and Conway, P.C.

/cw

cc: Office of the Sheriff/Real Estate Division

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

Deutsche Bank National Trust Company, As Trustee  
For Morgan Stanley Capi

Plaintiff

v.

Chad Killian and Heather Killian

Defendants

COLUMBIA COUNTY  
COURT OF COMMON PLEAS

Number 2009 CV 1796

**AMENDED AFFIDAVIT OF SERVICE**


I, the undersigned attorney for the Plaintiff in the within matter, hereby certify that on the 19<sup>th</sup> day of May, 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 19<sup>th</sup> DAY  
OF May, 2010

NOTARY PUBLIC

*Barbara J. Moyer*

  
**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**

**Attorneys for Plaintiff**

**123 South Broad Street, Suite 2080**

**Philadelphia, Pennsylvania 19109**

**(215) 790-1010**

Deutsche Bank National Trust Company, As Trustee  
For Morgan Stanley Capi

Plaintiff

v.

Chad Killian and Heather Killian

Defendants

COLUMBIA COUNTY  
COURT OF COMMON PLEAS

NO: 2009 CV 1796

**AMENDED AFFIDAVIT PURSUANT TO RULE 3129**

The undersigned, attorney for 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: **7619 A Columbia Boulevard, Berwick, Pennsylvania 18603**, a copy of the description of said property being attached hereto and marked Exhibit "A."

1. Name and address of Owners or Reputed Owners:

Name	Address
Chad Killian	1599 Mulberry Street Apt. #13 Berwick, Pennsylvania 18603
Heather Killian	1599 Mulberry Street Apt. #13 Berwick, Pennsylvania 18603

2. Name and address of Defendants in the judgment:

Name	Address
Chad Killian	1599 Mulberry Street Apt. #13 Berwick, Pennsylvania 18603
Heather Killian	1599 Mulberry Street Apt. #13 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	
Berwick Area Joint Sewer Authority	18 Evansville Road Berwick, Pennsylvania 18603
Berwick Area Joint Sewer Authority	c/o Anthony J. McDonald, Esquire 208 East Second Street Berwick, Pennsylvania 18603

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	7619 A Columbia Boulevard Berwick, Pennsylvania 18603
Commonwealth of Pennsylvania	Department of Public Welfare P.O. Box 2675 Harrisburg, PA 17105
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  
235 North Washington Street  
Scranton, PA 18503  
and  
Federal Building  
228 Walnut Street  
P.O. Box 11754  
Harrisburg, PA 17108

**c/o Atty General of the United States  
U.S. Dept of Justice Room 5111  
Main Justice Bldg., 10<sup>th</sup> Constitution Ave. NW  
Washington, DC 20530**

**c/o Atty General of the United States  
U.S. Dept of Justice  
10<sup>th</sup> Constitution Ave. NW, Rm 4400  
Washington, DC 20530**

8. Name and address of Attorney of record:

Name

Address

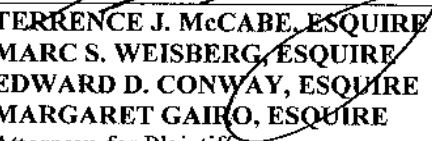
None

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.

May 19, 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**

Deutsche Bank National Trust Company, As Trustee  
For Morgan Stanley Capi

Plaintiff

v.

Chad Killian and Heather Killian

Defendants

COURT OF COMMON PLEAS  
COLUMBIA COUNTY

Number 2009 CV 1796

DATE:                     May 19, 2010

TO: ALL PARTIES IN INTEREST AND CLAIMANTS

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

OWNERS:                 Chad Killian and Heather Killian

PROPERTY:             7619 A Columbia Boulevard, Berwick, Pennsylvania 18603

IMPROVEMENTS:       Residential Dwelling

The above-captioned property is scheduled to be sold at the **Sheriff's Sale on June 23, 2010 at 9:00 a.m.** at the Sheriff's Office of the Columbia County Courthouse, Main Street, Bloomsburg, Pennsylvania 17815. You are hereby notified that you may hold a mortgage or judgments and liens on, and/or other interests in the property which may 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 (10) days after the filing of the schedule.

**Check type of mail or service:**

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

**Affix Stamp Here**  
(if issued as a  
certificate of mailing,  
or for additional



02 1R \$ 05.35  
0002095409 MAY 19 2010  
MAILED FROM ZIP CODE 19109

[illegible]

[illegible]



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.

DEUTSCHE BANK NATIONAL TRUST CO

VS.

CHAD & HEATHER KILLIAN

WRIT OF EXECUTION #59 OF 2010 ED

POSTING OF PROPERTY

MAY 19, 2010 POSTED A COPY OF THE SHERIFF'S SALE BILL ON THE  
PROPERTY OF CHAD & HEATHER KILLIAN AT 7619A COLUMBIA BLVD BERWICK  
COLUMBIA COUNTY PENNSYLVANIA. SAID POSTING PERFORMED BY COLUMBIA COUNTY  
DEPUTY SHERIFF PAUL D'ANGELO.

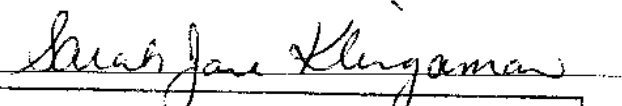
SO ANSWERS:

  
DEPUTY SHERIFF

  
TIMOTHY T. CHAMBERLAIN  
SHERIFF

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 19<sup>TH</sup> DAY OF MAY, 2010



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

TIMOTHY T. CHAMBERLAIN



SHERIFF OF COLUMBIA COUNTY  
COURT HOUSE - P.O. BOX 380  
BLOOMSBURG, PA 17815  
FAX: (570) 389-5623

PHONE  
(570) 389-5622

24 HOUR PHONE  
(570) 794-6300

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR MORGAN  
STANLEY CAPI

Docket # 59ED2010

VS

MORTGAGE FORECLOSURE

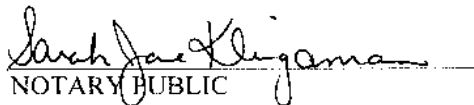
CHAD KILLIAN  
HEATHER KILLIAN


AFFIDAVIT OF SERVICE

NOW, THIS MONDAY, APRIL 26, 2010, AT 3:10 PM, SERVED THE WITHIN MORTGAGE  
FORECLOSURE UPON CHAD KILLIAN AT 1599 MULBERRY STREET APT 13, BERWICK BY  
HANDING TO CHAD KILLIAN, , 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 TUESDAY, APRIL 27, 2010

  
NOTARY PUBLIC

  
X  
TIMOTHY T. CHAMBERLAIN  
SHERIFF

  
X  
P. D'ANGELO  
DEPUTY SHERIFF

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

McCabe, Weisberg and Conway, PC  
123 South Broad Street  
Suite 2080  
Philadelphia, PA 19109

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) 794-6300

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR MORGAN  
STANLEY CAPI

Docket # 59ED2010

VS

MORTGAGE FORECLOSURE

CHAD KILLIAN  
HEATHER KILLIAN


AFFIDAVIT OF SERVICE

NOW, THIS MONDAY, APRIL 26, 2010, AT 3:10 PM, SERVED THE WITHIN MORTGAGE  
FORECLOSURE UPON HEATHER KILLIAN AT 1599 MULBERRY STREET APT 13,  
BERWICK BY HANDING TO CHAD KILLIAN, 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 TUESDAY, APRIL 27, 2010

  
NOTARY PUBLIC

  
X  
TIMOTHY T. CHAMBERLAIN  
SHERIFF

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

X   
P. D'ANGELO  
DEPUTY SHERIFF

McCabe, Weisberg and Conway, PC  
123 South Broad Street  
Suite 2080  
Philadelphia, PA 19109

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: P. D'ANGELO  
DATE RECEIVED 4/22/2010

SERVICE# 3 - OF - 17 SERVICES  
DOCKET # 59ED2010

PLAINTIFF DEUTSCHE BANK NATIONAL TRUST COMPANY, AS  
TRUSTEE FOR MORGAN STANLEY CAPI

DEFENDANT CHAD KILLIAN  
HEATHER KILLIAN  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

PERSON/CORP TO SERVED
TENANT(S)
7619 A COLUMBIA BLVD
BERWICK

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON POSTED / VACANT

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

DATE 05 03 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

DEPUTY

DATE

05 03 10



April 30, 2010

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

**DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR  
MORGAN STANLEY CAPI**

**VS.**

**CHAD KILLIAN  
HEATHER KILLIAN**

**DOCKET # 59ED2010**

**JD # 1796JD2009**

Dear Timothy:

The amount due on the sewer account #600314 for the property located at 7619A, Columbia Blvd Berwick, Pa through June 30, 2010 is \$1521.90. This amount includes fees to satisfy a lien on this property.

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*

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

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



# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: P. D'ANGELO  
DATE RECEIVED 4/22/2010

SERVICE# 1 - OF - 17 SERVICES  
DOCKET # 59ED2010

PLAINTIFF DEUTSCHE BANK NATIONAL TRUST COMPANY, AS  
TRUSTEE FOR MORGAN STANLEY CAPI

DEFENDANT CHAD KILLIAN  
HEATHER KILLIAN  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

PERSON/CORP TO SERVED
CHAD KILLIAN
1599 MULBERRY STREET APT 13
BERWICK

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON CHAD KILLIAN

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

DATE 04/26/10 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 04/26/10

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: P. D'ANGELO  
DATE RECEIVED 4/22/2010

SERVICE# 2 - OF - 17 SERVICES  
DOCKET # 59ED2010

PLAINTIFF DEUTSCHE BANK NATIONAL TRUST COMPANY, AS  
TRUSTEE FOR MORGAN STANLEY CAPI

DEFENDANT CHAD KILLIAN  
HEATHER KILLIAN  
ATTORNEY FIRM McCabe, Weisberg and Conway, PC

PERSON/CORP TO SERVED
HEATHER KILLIAN
1599 MULBERRY STREET APT 13
BERWICK

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON CHAD KILLIAN

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

DATE 04/26/10 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

Flu Dill DATE 04/26/10

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER: P. D'ANGELO  
DATE RECEIVED 4/22/2010

SERVICE# 10 - OF - 17 SERVICES  
DOCKET # 59ED2010

PLAINTIFF DEUTSCHE BANK NATIONAL TRUST COMPANY, AS  
TRUSTEE FOR MORGAN STANLEY CAPI

DEFENDANT CHAD KILLIAN  
HEATHER KILLIAN

ATTORNEY FIRM McCabe, Weisberg and Conway, PC

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

SERVED UPON KELLY GIERER

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

DATE 04/23/10 TIME 1445 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

04/23/10

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 4/22/2010

SERVICE# 11 - OF - 17 SERVICES  
DOCKET # 59ED2010

PLAINTIFF DEUTSCHE BANK NATIONAL TRUST COMPANY, AS  
TRUSTEE FOR MORGAN STANLEY CAPI

DEFENDANT CHAD KILLIAN  
HEATHER KILLIAN

ATTORNEY FIRM McCabe, Weisberg and Conway, PC

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

**PAPERS TO SERVED**  
MORTGAGE FORECLOSURE

SERVED UPON MAUREEN COLE

RELATIONSHIP Customer Service IDENTIFICATION \_\_\_\_\_

DATE 4-23-10 TIME 1425 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) \_\_\_\_\_

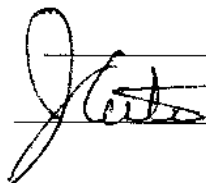
ATTEMPTS  
DATE

TIME

OFFICER

REMARKS

DEPUTY



DATE 4-23-10

# COLUMBIA COUNTY SHERIFF'S OFFICE

## PROCESS SERVICE ORDER

OFFICER:  
DATE RECEIVED 4/22/2010

SERVICE# 14 - OF - 17 SERVICES  
DOCKET # 59ED2010

PLAINTIFF DEUTSCHE BANK NATIONAL TRUST COMPANY, AS  
TRUSTEE FOR MORGAN STANLEY CAPI

DEFENDANT CHAD KILLIAN  
HEATHER KILLIAN

ATTORNEY FIRM McCabe, Weisberg and Conway, PC

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

PAPERS TO SERVED  
MORTGAGE FORECLOSURE

SERVED UPON DEB Miller

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

DATE 4-23-10 TIME 1435 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 4-23-10

# SHERIFF'S SALE

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WEDNESDAY JUNE 23, 2010 AT 9:00 AM

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BY VIRTUE OF A WRIT OF EXECUTION NO. 59 OF 2010 ED AND CIVIL WRIT NO. 1796 OF 2009 JD ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, CIVIL DIVISION, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENUE OR OUTCRY TO THE HIGHEST BIDDER, FOR CASH, IN A COURTROOM OR SHERIFF'S OFFICE, TO BE ANNOUNCED, AT THE COLUMBIA COUNTY COURTHOUSE, BLOOMSBURG, PENNA., 17815, ALL THE RIGHT AND TITLE AND INTEREST TO THE DEFENDANTS IN AND TO:

---

ALL THAT CERTAIN piece or parcel of land situate in the Borough of Briar Creek, Columbia County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center. of Briar Creek, said point being 25 feet north of the centerline of Pennsylvania State Highway Legislative Route No. 4 leading from Berwick to Bloomsburg: THENCE along the northerly line of Pennsylvania State Highway Route No. 4 and running parallel to and 25 feet distant from said centerline North 77 degrees 00 minutes West 130.72 feet to an iron pin on the easterly side of a 15 foot private drive, THENCE along the easterly line of said private drive and along lands of Raymond O. Bigart, et ux, North 26 degrees 25 minutes 10 seconds East 319.60 feet to an iron pin; THENCE along lands of said Bigart, South 82 degrees 37 minutes 30 seconds East, 216.00 feet to a point in the center of Briar Creek THENCE along the center of said creek, South 9 degrees 36 minutes East 192.94 feet; THENCE along same South 63 degrees 30 minutes West 220.00 feet to the place of beginning.

CONTAINING 1.641 acres of land in all. B

BEING KNOWN AS: 7619 A COLUMBIA BOULEVARD, BERWICK, PENNSYLVANIA 18603

TAX I.D. #: 06-01-018-01,000

THE IMPROVEMENTS THEREON ARE: RESIDENTIAL DWELLING

BEING THE SAME PREMISES WHICH ANGELA S. RIMMER, UNMARRIED by deed dated October 28, 2000 and recorded February 26, 2001 in the office of the Recorder in and for Columbia County as Instrument #200101479, granted and conveyed to Chad Killian and Heather Killian, husband and wife.

REAL DEBT: \$105,556.37

SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF:  
CHAD KILLIAN AND HEATHER KILLIAN

### TERMS OF SALE

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

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

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

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

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

Plaintiff's Attorney  
Terrence 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 # 20859 Carrier / service: POST 2PM 4/23/2010

Ship to: 20859

COMMONWEALTH OF PA

PO BOX 2675

Tracking #: 9171924291001000001256

Doc Ref #: 59ED2010

HARRISBURG PA 17105



Document Receipt

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Trans # 20860 Carrier / service: POST 2PM 4/23/2010

Ship to: 20860

COMMONWEALTH OF PA

INHERITANCE TAX OFFICE

110 NORTH 8TH STREET STE 204

Tracking #: 9171924291001000001263

Doc Ref #: 59ED2010

PHILADELPHIA PA 19107

Document Receipt

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Trans # 20861 Carrier / service: POST 2PM 4/23/2010

Ship to: 20861

COMMONWEALTH OF PA

DEPT 280601

Tracking #: 9171924291001000001270

Doc Ref #: 59ED2010

HARRISBURG PA 17128

Document Receipt

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Trans # 20862 Carrier / service: POST 2PM 4/23/2010

Ship to: 20862

DEPT OF PUBLIC WELFARE

PO BOX 8486

Tracking #: 9171924291001000001287

Doc Ref #: 59ED2010

HARRISBURG PA 17105



Document Receipt

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Trans # 20864 Carrier / service: POST 2PM 4/23/2010

Ship to: 20864

UNITED STATES OF AMERICA

PO BOX 11754

Tracking #: 9171924291001000001300

Doc Ref #: 59ED2010

HARRISBURG PA 17108

Document Receipt

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Trans # 20865 Carrier / service: POST 2PM 4/23/2010

Ship to: COP

COMMONWEALTH OF PENNSYLVANIA DEPT OF REV SHERIFF SALE

Tracking #: 9171924291001000001317

DEPARTMENT 281230

Doc Ref #: 59ED2010

HARRISBURG PA 17128

Document Receipt

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Trans # 20866 Carrier / service: POST 2PM 4/23/2010

Ship to: FAIR

OFFICE OF F.A.I.R.

DEPARTMENT OF PUBLIC WELFARE  
PO BOX 8016

Tracking #: 9171924291001000001324

Doc Ref #: 59ED2010

HARRISBURG PA 17105

Document Receipt

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Trans # 20867 Carrier / service: POST 2PM 4/23/2010

Ship to: SBA

U.S. Small Business Administration PHILADELPHIA DISTRICT  
OFFICE

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

Tracking #: 9171924291001000001331

Doc Ref #: 59ED2010

KING OR PA 19406  
PRUSSIA



Document Receipt

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Trans # 20868 Carrier / service: POST 2PM 4/23/2010

Ship to: IRS

INTERNAL REVENUE SERVICE

WILLIAM GREEN FEDERAL BUILDING  
600 ARCH STREET ROOM 3259

Tracking #: 9171924291001000001348

Doc Ref #: 59ED2010

PHILADELPHIA PA 19106

# REAL ESTATE OUTLINE

ED # 59-10

DATE RECEIVED 4-23-10  
DOCKET AND INDEX 4-23-10

## CHECK FOR PROPER INFO.

WRIT OF EXECUTION	<input checked="" type="checkbox"/>	
COPY OF DESCRIPTION	<input checked="" type="checkbox"/>	
WHEREABOUTS OF LKA	<input checked="" type="checkbox"/>	
NON-MILITARY AFFIDAVIT	<input checked="" type="checkbox"/>	called 4-23
NOTICES OF SHERIFF SALE	<input checked="" type="checkbox"/>	
WAIVER OF WATCHMAN	<input checked="" type="checkbox"/>	
AFFIDAVIT OF LIENS LIST	<input checked="" type="checkbox"/>	
CHECK FOR \$1,350.00 OR <u>3000.00</u>	<input checked="" type="checkbox"/>	CK# <u>14411</u>

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

SALE DATE June 23, 10 TIME 0900  
POSTING DATE May 19, 10  
ADV. DATES FOR NEWSPAPER  
1<sup>ST</sup> WEEK June 2  
2<sup>ND</sup> WEEK 9  
3<sup>RD</sup> WEEK 16, 17

**WRIT OF EXECUTION (MORTGAGE FORECLOSURE)**

**P .P. 3180 TO 3183 and Rule 3257**

Deutsche Bank National Trust Company, As Trustee  
For Morgan Stanley Capi

Plaintiff

v.

Chad Killian and Heather Killian

Defendants

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

No. 2010-ED-59 Term \_\_\_\_\_ E.D.

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

No. 2009 CV 1796 Term \_\_\_\_\_ J.D.

**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: **7619 A COLUMBIA BOULEVARD, BERWICK, PENNSYLVANIA 18603**

Amount Due

\$105,556.37

Interest from 11/19/09 to DATE OF SALE  
plus \$17.35 per diem thereafter

\$ \_\_\_\_\_

(Costs to be added)

Total

\$ \_\_\_\_\_

Dated: 04-22-2010  
(SEAL)

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

By: Barbara N. Silbetti  
Proth & Clerk of Sev. Courts  
**My Com. Ex. 1<sup>st</sup> Monday in 2012**

LEGAL DESCRIPTION

All THAT CERTAIN piece or parcel of land situate in the Borough of Briar Creek, Columbia County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center of Briar Creek, said point being 25 feet north of the centerline of Pennsylvania State Highway Legislative Route No. 4 leading from Berwick to Bloomsburg; THENCE along the northerly line of Pennsylvania State Highway Route No. 4 and running parallel to and 25 feet distant from said centerline North 77 degrees 00 minutes West 130.72 feet to an iron pin on the easterly side of a 15 foot private drive; THENCE along the easterly line of said private drive and along lands of Raymond O. Bigart, et ux, North 26 degrees 25 minutes 10 seconds East 319.60 feet to an iron pin; THENCE along lands of said Bigart, South 82 degrees 37 minutes 30 seconds East, 216.00 feet to a point in the center of Briar Creek; THENCE along the center of said creek, South 9 degrees 36 minutes East 192.94 feet; THENCE along same South 63 degrees 30 minutes West 220.00 feet to the place of beginning.

CONTAINING 1.641 acres of land in all.

BEING KNOWN AS: 7619 A COLUMBIA BOULEVARD, BERWICK, PENNSYLVANIA 18603

TAX I.D. #: 06-01-018-01,000

THE IMPROVEMENTS THEREON ARE: RESIDENTIAL DWELLING

BEING THE SAME PREMISES WHICH ANGELA S. RIMMER, UNMARRIED by deed dated October 28, 2000 and recorded February 26, 2001 in the office of the Recorder in and for Columbia County as Instrument #200101479, granted and conveyed to Chad Killian and Heather Killian, husband and wife.

REAL DEBT: \$105,556.37

SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF:  
CHAD KILLIAN AND HEATHER KILLIAN

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 GAIR, ESQUIRE - ID # 34419

Attorneys for Plaintiff

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

Deutsche Bank National Trust Company, As Trustee  
For Morgan Stanley Capi

Plaintiff

v.

Chad Killian and Heather Killian

Defendants

COLUMBIA COUNTY  
COURT OF COMMON PLEAS

NO: 2009 CV 1796

2010-ED-59

**AFFIDAVIT PURSUANT TO RULE 3129**

The undersigned, attorney for Plaintiff in the above action, sets forth as of the date the Praccipe for the Writ of Execution was filed the following information concerning the real property located at: **7619 A Columbia Boulevard, Berwick, Pennsylvania 18603**, a copy of the description of said property being attached hereto and marked Exhibit "A."

1. Name and address of Owners or Reputed Owners:

Name	Address
Chad Killian	1599 Mulberry Street Apt. #13 Berwick, Pennsylvania 18603
Heather Killian	1599 Mulberry Street Apt. #13 Berwick, Pennsylvania 18603

2. Name and address of Defendants in the judgment:

Name	Address
Chad Killian	1599 Mulberry Street Apt. #13 Berwick, Pennsylvania 18603
Heather Killian	1599 Mulberry Street Apt. #13 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	
Berwick Area Joint Sewer Authority	18 Evansville Road Berwick, Pennsylvania 18603
Berwick Area Joint Sewer Authority	c/o Anthony J. McDonald, Esquire 208 East Second Street Berwick, Pennsylvania 18603

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	7619 A Columbia Boulevard Berwick, Pennsylvania 18603
Commonwealth of Pennsylvania	Department of Public Welfare P.O. Box 2675 Harrisburg, PA 17105
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  
235 North Washington Street  
Scranton, PA 18503  
and  
Federal Building  
228 Walnut Street  
P.O. Box 11754  
Harrisburg, PA 17108

8. Name and address of Attorney of record:

Name

Address

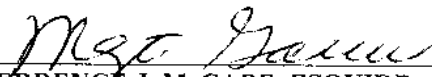
None

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.

February 22, 2010

DATE

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

LEGAL DESCRIPTION

**All** THAT CERTAIN piece or parcel of land situate in the Borough of Briar Creek, Columbia County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center of Briar Creek, said point being 25 feet north of the centerline of Pennsylvania State Highway Legislative Route No. 4 leading from Berwick to Bloomsburg; THENCE along the northerly line of Pennsylvania State Highway Route No. 4 and running parallel to and 25 feet distant from said centerline North 77 degrees 00 minutes West 130.72 feet to an iron pin on the easterly side of a 15 foot private drive; THENCE along the easterly line of said private drive and along lands of Raymond O. Bigart, et ux, North 26 degrees 25 minutes 10 seconds East 319.60 feet to an iron pin; THENCE along lands of said Bigart, South 82 degrees 37 minutes 30 seconds East, 216.00 feet to a point in the center of Briar Creek; THENCE along the center of said creek, South 9 degrees 36 minutes East 192.94 feet; THENCE along same South 63 degrees 30 minutes West 220.00 feet to the place of beginning.

CONTAINING 1.641 acres of land in all.

BEING KNOWN AS: 7619 A COLUMBIA BOULEVARD, BERWICK, PENNSYLVANIA 18603

TAX I.D. #: 06-01-018-01,000

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SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF:  
CHAD KILLIAN AND HEATHER KILLIAN

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**

**CIVIL ACTION LAW**

Deutsche Bank National Trust Company, As Trustee  
For Morgan Stanley Capi

v.

Chad Killian and Heather Killian

COURT OF COMMON PLEAS  
COLUMBIA COUNTY

Number 2009 CV 1796

2010-ED-59

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

To: Chad Killian  
1599 Mulberry Street  
Apt. #13  
Berwick, Pennsylvania 18603

Heather Killian  
1599 Mulberry Street  
Apt. #13  
Berwick, Pennsylvania 18603

Your house (real estate) at **7619 A Columbia Boulevard, 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 \$105,556.37 obtained by Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi 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 Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi 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 CERTAIN piece or parcel of land situate in the Borough of Briar Creek, Columbia County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center of Briar Creek, said point being 25 feet north of the centerline of Pennsylvania State Highway Legislative Route No. 4 leading from Berwick to Bloomsburg; THENCE along the northerly line of Pennsylvania State Highway Route No. 4 and running parallel to and 25 feet distant from said centerline North 77 degrees 00 minutes West 130.72 feet to an iron pin on the easterly side of a 15 foot private drive; THENCE along the easterly line of said private drive and along lands of Raymond O. Bigart, et ux, North 25 degrees 25 minutes 10 seconds East 319.60 feet to an iron pin; THENCE along lands of said Bigart, South 82 degrees 37 minutes 30 seconds East, 216.00 feet to a point in the center of Briar Creek; THENCE along the center of said creek, South 9 degrees 36 minutes East 192.94 feet; THENCE along same South 63 degrees 30 minutes West 220.00 feet to the place of beginning.

CONTAINING 1.641 acres of land in all.

BEING KNOWN AS: 7619 A COLUMBIA BOULEVARD, BERWICK, PENNSYLVANIA 18603

TAX I.D. #: 06-01-018-01,000

THE IMPROVEMENTS THEREON ARE: RESIDENTIAL DWELLING

BEING THE SAME PREMISES WHICH ANGELA S. RIMMER, UNMARRIED by deed dated October 28, 2000 and recorded February 26, 2001 in the office of the Recorder in and for Columbia County as Instrument #200101479, granted and conveyed to Chad Killian and Heather Killian, husband and wife.

REAL DEBT: \$105,556.37

SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF:  
CHAD KILLIAN AND HEATHER KILLIAN

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

Deutsche Bank National Trust Company, As Trustee  
For Morgan Stanley Capi

Plaintiff

v.

Chad Killian and Heather Killian

Defendants

COURT OF COMMON PLEAS  
COLUMBIA COUNTY

Number 2009 CV 1796

2010-ED-59

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:

**7619 A Columbia Boulevard, Berwick, Pennsylvania 18603**  
(more fully described as attached)

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

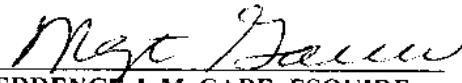
Chad Killian  
1599 Mulberry Street  
Apt. #13  
Berwick, Pennsylvania 18603

Heather Killian  
1599 Mulberry Street  
Apt. #13  
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.

February 22, 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.

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**MARGARET GAIRO, ESQUIRE - ID # 34419**

Attorneys for Plaintiff

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

Deutsche Bank National Trust Company, As Trustee  
For Morgan Stanley Capi

Plaintiff

v.

Chad Killian and Heather Killian

Defendants

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


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1599 Mulberry Street  
Apt. #13  
Berwick, Pennsylvania 18603

Heather Killian  
1599 Mulberry Street  
Apt. #13  
Berwick, Pennsylvania 18603

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**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  
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Deutsche Bank National Trust Company, As Trustee  
For Morgan Stanley Capi

Plaintiff

v.

Chad Killian and Heather Killian

Defendants

COURT OF COMMON PLEAS  
COLUMBIA COUNTY

Number 2009 CV 1796

2010-ED-59

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

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 addresses of the Defendants are:

Chad Killian  
1599 Mulberry Street  
Apt. #13  
Berwick, Pennsylvania 18603

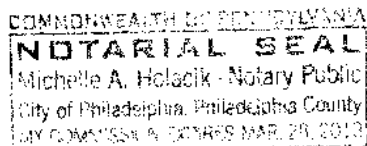
Heather Killian  
1599 Mulberry Street  
Apt. #13  
Berwick, Pennsylvania 18603

SWORN AND SUBSCRIBED  
BEFORE ME THIS 22<sup>nd</sup> DAY  
OF February, 2010

*Michelle A. Holack*

NOTARY PUBLIC

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



LEGAL DESCRIPTION

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123 South Broad Street, Suite 2080  
Philadelphia, PA 19109

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

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

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

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 L. MARKOWITZ ~\*  
HEIDI R. SPIVAK\*  
SCOTT TAGGART\*  
MARISA COHEN\*  
KATHERINE SANTANGINI~\*  
JASON BROOKS †  
STEPHANIE H. HURLEY\*\*  
DIANN GREEN <  
MATTHEW CONNOR\*  
FAITH MIROS <†  
ERIN BRADY▲▲  
AARON D. NEAL▲▲  
KEVIN T. MCQUAIL ~\*  
RUHI MIRZA ~\*

\*~ Licensed in PA  
\* Licensed in PA & NJ  
\*\* Licensed in PA & NY  
~\* Licensed in NY  
~\* Licensed in NJ  
~\* Licensed in PA & WA  
\*\*\* Licensed in PA, NJ & NY  
† Licensed in NY & CT  
▲ Licensed in MD & DC  
± Licensed in MD  
+ Managing Attorney for NY  
= Managing Attorney for MD  
~\* Managing Attorney for NJ  
< Licensed in VA  
<† Licensed in CT & NJ  
~\* Licensed in MD & VA

February 22, 2010

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

Re: Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capital Services, Inc.  
vs.  
Chad Killian and Heather Killian  
Columbia County, Number 2009 CV 1796  
Premises: 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603

Dear Sir or Madam:

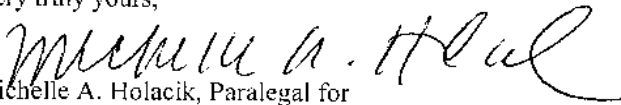
Enclosed please find three copies of Notice of Sheriff's Sale of Real Estate Pursuant to PA.R.C.P. 3129 relative to the above matter. I would appreciate your serving the Notice upon the Defendants as follows:

Chad Killian  
1599 Mulberry Street  
Apt. #13  
Berwick, Pennsylvania 18603

Heather Killian  
1599 Mulberry Street  
Apt. #13  
Berwick, Pennsylvania 18603

Once service is completed, please forward the pertinent affidavit of service to our office.

Very truly yours,

  
Michelle A. Holacik, Paralegal for  
McCabe, Weisberg and Conway, P.C.

Enclosures



44411

MCCABE, WEISBERG & CONWAY, P.C.

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



WACHOVIA

3-50/310

NUMBER

Two Thousand \*\*\*\*\* 00/100

DATE

Feb 22/2010 \$2,000.00

AMOUNT

ESCROW TRUST  
VOID AFTER 90 DAYS

TO THE  
ORDER  
OF  
Sheriff of Columbia County

Listing Property for Sheriff Sale #116-5407

*Thomas J. McCabe*

0044411 0310005031 2000012430022