

SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain
Sheriff

Earl D. Mordan, Jr.
Chief Deputy



SUSQUEHANNA BANK
vs.
JOSEPH A LOZAK (et al.)

Case Number
2011CV859

REAL ESTATE SALE REQUEST LEDGER

<u>DATE</u>	<u>CATEGORY</u>	<u>MEMO</u>	<u>CHK #</u>	<u>DEBIT</u>	<u>CREDIT</u>
02/06/2012	Advance Fee	Advance Fee	11050029	0.00	1,350.00
02/06/2012	Advertising Sale (Newspaper)			15.00	0.00
02/06/2012	Advertising Sale Bills & Copies			17.50	0.00
02/06/2012	Crying Sale			10.00	0.00
02/06/2012	Docketing			15.00	0.00
02/06/2012	Levy			15.00	0.00
02/06/2012	Mailing Costs			36.00	0.00
02/06/2012	Posting Handbill			15.00	0.00
02/06/2012	Press Enterprise Inc.			1,293.54	0.00
02/06/2012	Sheriff Automation Fund			50.00	0.00
02/06/2012	Web Posting			100.00	0.00
06/04/2012	Service			165.00	0.00
06/04/2012	Service Mileage			16.00	0.00
06/04/2012	Copies			5.50	0.00
06/04/2012	Notary Fee			15.00	0.00
06/04/2012	Surcharge			120.00	0.00
06/05/2012	Tax Claim Search			5.00	0.00
				1,893.54	1,350.00
TOTAL BALANCE:				-543.54	

McNERNEY, PAGE, VANDERLIN & HALL
ATTORNEYS AND COUNSELLORS AT LAW
433 MARKET STREET P.O. BOX 7
WILLIAMSPORT PENNSYLVANIA 17701

SUSQUEHANNA BANK PA
WILLIAMSPORT, PA 17701
60-912/313

030622

CHECK NO. 30622
CHECK DATE 08/14/2012
VENDOR NO. KCOCS

CHECK AMOUNT
\$543.54

Five hundred forty-three and fifty-four/100

COLUMBIA COUNTY SHERIFF

B. Miller

⑈030622⑈ ⑆031309123⑆ 00052972901⑈

Security Features Included. Details on back

PO Box 380
Bloomsburg, PA 17815
Phone 570-389-5622
Fax 570-389-5625

**COLUMBIA COUNTY
SHERIFF'S OFFICE
TIMOTHY T. CHAMBERLAIN, SHERIFF**

Fax

To: Robin A. Read, Esq	From: Sheriff Timothy T. Chamberlain
Fax:	Pages: 2 7-11-12
Phone:	Date: June 8, 2012 2nd fax
Re: Lozak & Frey	CC:

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

● **Comments:**

Attached is a cost sheet showing a balance of \$543.54 due.

Commitment to Client and Community
McNERNEY, PAGE, VANDERLIN & HALL
Attorneys and Counsellors at Law

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* PA House of Representatives

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Allen P. Page, Jr. 1949-1975
O. William Vanderlin 1950-1999
Charles J. McKelvey 1969-2000

Office email: mpvh@mpvhlaw.com
Direct email: rread@mpvhlaw.com

June 4, 2012

SENT VIA FACSIMILE (570) 389-5625

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

**Re: Susquehanna Bank vs. Joseph A. Lozak and Patti A. Frey
Case No. 2011-CV-859**

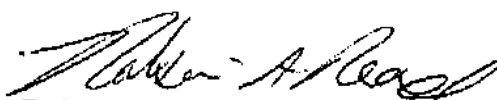
Dear Sheriff Chamberlain:

The United States Bankruptcy Court for the Middle District of Pennsylvania imposed a Preliminary Injunction prohibiting Susquehanna Bank from pursuing the above referenced Sheriff's Sale for now. As a result thereof, please cancel the above referenced Sale which is currently scheduled for June 6, 2012 at 9:00 a.m.

Thank you for your assistance in this matter.

Very truly yours,

McNERNEY, PAGE, VANDERLIN & HALL


Robin A. Read

RAR/kec

Commitment to Client and Community
McNERNEY, PAGE, VANDERLIN & HALL
Attorneys and Counsellors at Law

SENDER: Robin A. Read, Esquire
TO: Timothy t. Chamberlain, Sheriff
COMPANY: Columbia County Courthouse
FAX NO.: (570) 389-5625
DATE: June 5, 2012
RE: Susquehanna Bank vs. Joseph Lozak & Patti Frey
Case No. 2011-CV-859

TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 2

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WITH RECEIPT, PLEASE TELEPHONE KELLY (570) 326-6555.

MESSAGE: Please see attached letter

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NEW IRS RULES RESTRICT WRITTEN FEDERAL TAX ADVICE FROM LAWYERS AND ACCOUNTANTS. WE INCLUDE THIS STATEMENT IN ALL OUTBOUND EMAILS BECAUSE EVEN INADVERTENT VIOLATIONS MAY BE PENALIZED. NOTHING IN THIS MESSAGE IS INTENDED TO BE USED, OR MAY BE USED, TO AVOID ANY PENALTY UNDER FEDERAL TAX LAWS. THIS MESSAGE WAS NOT WRITTEN TO SUPPORT THE PROMOTION OR MARKETING OF ANY TRANSACTION. CONTACT THE SENDER IF YOU WISH TO ENGAGE US TO PROVIDE FORMAL WRITTEN ADVICE AS TO TAX ISSUES.

Original ____ will X will not follow under separate cover.

SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain
Sheriff

Earl D. Mordan, Jr.
Chief Deputy



Plaintiff
SUSQUEHANNA BANK

vs.

Defendant
JOSEPH A LOZAK
PATTI A FREY

Attorney for the Plaintiff:

MCNERNEY, PAGE, VANDERLIN & HALL
433 MARKET STREET
WILLIAMSPORT, PA 17701

Sheriff's Sale Date: Wednesday, June 6, 2012

Writ of Execution No. : 2011CV859

Advance Sheriff Costs: 1,350.00

Location of the real estate: 219 DEVIL HOLE RUN ROAD, BENTON, PA 17814

Sheriff Costs

Docketing	15.00
Levy	15.00
Posting Handbill	15.00
Service Mileage	16.00
Crying Sale	10.00
Service	165.00
Prothonotary, Acknowledge Deed	10.00
Advertising Sale Bills & Copies	17.50
Sheriff's Deed	35.00
Distribution Form	25.00
Surcharge	120.00
Advertising Sale (Newspaper)	15.00
Press Enterprise Inc.	1,293.54
Web Posting	100.00
Notary Fee	15.00
Transfer Tax Form	25.00
Mailing Costs	36.00
Copies	5.50
Collector Services	75.00
Sheriff Automation Fund	50.00

Total Sheriff Costs 2,058.54

Municipal Costs

Current Taxes	625.25
Delinquent Taxes	14,143.18

Total Municipal Costs 14,768.43

Distribution Costs

Recording Fees	55.00
---------------------------	-------

Total Distribution Costs 55.00

Grand Total: 16,881.97

Sheriff's poundage cost will be calculated according to the current law and added to the Sheriffs' costs after the sale.

Columbia County Sheriff, Bloomsburg, Pennsylvania, 17815, (570) 389-5622, (570)-389-5625 (fax)

©2009 by State Sheriff, Telephone: 1-4

SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain
Sheriff

Earl D. Mordan, Jr.
Chief Deputy



Plaintiff
SUSQUEHANNA BANK

vs.

Defendant
JOSEPH A LOZAK
PATTI A FREY

Attorney for the Plaintiff:

MCNERNEY, PAGE, VANDERLIN & HALL
433 MARKET STREET
WILLIAMSPORT, PA 17701

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Notary Fee	15.00
Transfer Tax Form	25.00
Mailing Costs	36.00
Copies	5.50
Solicitor Services	75.00
Sheriff Automation Fund	50.00

Total Sheriff Costs 2,058.54

Municipal Costs

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Delinquent Taxes	14,143.18

Total Municipal Costs 14,768.43

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Total Distribution Costs 55.00

Grand Total: 16,881.97

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Columbia County Sheriff, Bloomsburg, Pennsylvania, 17815, (570) 389-5622, (570)-389-5625 (fax)

As of 12/31/2011, the Sheriff's Office is a non-profit organization.

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

Susquehanna Bank vs Joseph Lucade Attorney

NO. 18-12 ED NO. 857-11 JD

DATE/TIME OF SALE: June 6, 2000

BID PRICE (INCLUDES COST) \$ _____

POUNDAGE - 2% OF BID \$ _____

TRANSFER TAX - 2% OF FAIR MKT \$ _____

MISC. COSTS \$ _____

TOTAL AMOUNT NEEDED TO PURCHASE \$ _____

PURCHASER(S): _____

ADDRESS: _____

NAMES(S) ON DEED: _____

PURCHASER(S) SIGNATURE(S): _____

TOTAL DUE: \$ _____

LESS DEPOSIT: \$ _____

DOWN PAYMENT: \$ _____

TOTAL DUE IN 8 DAYS \$ _____

Commitment to Client and Community
McNERNEY, PAGE, VANDERLIN & HALL
Attorneys and Counsellors at Law

SENDER: Robin A. Read, Esquire
TO: Sheriff Timothy T. Chamberlain
COMPANY: Susquehanna Bank vs. Lozak/Frey
FAX NO.: (570) 389-5625
DATE: April 2, 2012

TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 5

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WITH RECEIPT, PLEASE TELEPHONE KELLY AT (570) 326-6555.

MESSAGE:

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Original will X will not follow under separate cover.

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O. William Vanderlin 1950-1999
Charles J. McKelvey 1969-2000

Office email: mpvh@mpvhlaw.com
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April 2, 2012

SENT VIA FACSIMILE (570) 389-5625

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

Re: **Susquehanna Bank vs. Joseph A. Lozak and Patti A. Frey**
Case No. 2011-CV-859

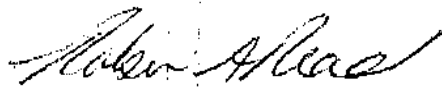
Dear Sheriff Chamberlain:

I was advised on Friday afternoon that Joseph A. Lozak filed a Second Bankruptcy Petition pursuant to Chapter 13 of the United States Bankruptcy Code. I have enclosed a copy of the new Petition for your files. As a consequence of the second bankruptcy filing, please reschedule the Sheriff's Sale currently scheduled for April 11, 2012 at 9:00 a.m. to the next available date after May 1, 2012. Please advise of the new date and announce the rescheduled date at the Sheriff's Sale on April 11, 2012.

Thank you for your assistance in this matter.

Very truly yours,

McNERNEY, PAGE, VANDERLIN & HALL



Robin A. Read

RAR/kec
Enclosure

B1 (Official Form 1) (4/10)

United States Bankruptcy Court
Middle District of Pennsylvania

Voluntary Petition

Name of Debtor (If individual, enter Last, First, Middle): Lozak, Joseph, Alex		Name of Joint Debtor (Spouse) (Last, First, Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):	
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): 0140		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):	
Street Address of Debtor (No. & Street, City, and State): 219 Devil Hole Run Road Benton, PA		Street Address of Joint Debtor (No. & Street, City, and State):	
ZIP CODE 17814		ZIP CODE	
County of Residence or of the Principal Place of Business: Lycamimg		County of Residence or of the Principal Place of Business:	
Mailing Address of Debtor (if different from street address):		Mailing Address of Joint Debtor (if different from street address):	
ZIP CODE		ZIP CODE	
Location of Principal Assets of Business Debtor (if different from street address above):		ZIP CODE	
Type of Debtor (Form of Organization) (Check one box.) <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)		Nature of Business (Check one box) <input type="checkbox"/> Health Care Facilities <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity trader <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code.)	
Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input checked="" type="checkbox"/> Chapter 13 Nature of Debts (Check one box) <input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> Debts are primarily business debts.		Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check all: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).	
Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b) See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		Statistical/Administrative Information <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.	
Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000		THIS SPACE IS FOR COURT USE ONLY	
Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	

B1 (Official Form 1) (4/10)

FORM B1, Page 2

Voluntary Petition <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): <u>Joseph Alex Lozak</u>	
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)			
Location Where Filed: <u>NONE</u>	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor: <u>NONE</u>	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) <input type="checkbox"/> Exhibit A is attached and made a part of this petition.		Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that (he or she) may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b). <u>X</u> <u>s/s Norman M. Lubin, Esq</u> <u>March 28, 2012</u> Signature of Attorney for Debtor(s) Date <u>Norman M. Lubin, Esquire</u> <u>14780</u>	
Exhibit C			
Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No			
Exhibit D			
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) <input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
Information Regarding the Debtor - Venue (Check any applicable box)			
<input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.			
<input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.			
<input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding (in a federal or state court) in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.)			
<input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following). <div style="text-align: right;"> (Name of landlord that obtained judgment) _____ (Address of landlord) _____ </div>			
<input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and			
<input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.			
<input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(i)).			

EFFECTIVE DATE

Year	Authority	Fund					
Delq Year	Bill Roll	Tax	Interest	Penalty	Other	Finding	Total Amount
2010	PRIM	3,525.06	.00	351.14	15.00		3,891.20
2008	PRIM	984.35	521.64	295.87	190.00		1,991.86
2011	PRIM	3,584.31	88.68	357.07	45.00		4,075.06
2009	PRIM	3,520.57	174.24	350.69	75.00		4,120.50
	Total:	11,614.29	784.56	1,354.77	325.00		14,078.62

for July only

004

Owner - Frey is in Bankruptcy
Lozak is not in Bankruptcy

for 2008-2009-2010
Taxes

B1 (Official Form 1) (4/10)

FORM B1, Page 3

Voluntary Petition*(This page must be completed and filed in every case)*

Name of Debtor(s):

Joseph Alex Lozak

Signatures**Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

(If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7) I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

(If no attorney represents me and no bankruptcy petition preparer signs the petition) I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X 
Signature of Debtor Joseph Alex Lozak

X Not Applicable

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

03/28/2012

Date

Signature of AttorneyX a/a Norman M. Lubin, Esq.

Signature of Attorney for Debtor(s)

Norman M. Lubin, Esquire Bar No. 14780

Printed Name of Attorney for Debtor(s) / Bar No.

Casale & Bonner, P.C.

Firm Name

33 West Third Street Suite 202

Address

Williamsport, PA 17701

(570) 326-7044

(570) 326-7610

Telephone Number

03/28/2012

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X Not Applicable

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of Title 11, United States Code. Certified Copies of the documents required by § 1515 of title 11 are attached.☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X Not Applicable

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

Date

Signature of Non-Attorney Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) If rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 15 is attached.

Not Applicable

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

X Not Applicable

Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.

If more than one person prepared this document, attach to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain
Sheriff



James D. Arter
Chief Deputy

SUSQUEHANNA BANK
vs.
JOSEPH A LOZAK (et al.)

Case Number
2011CV859

SHERIFF'S RETURN OF SERVICE

03/06/2012 10:55 AM - DEPUTY EARL MORDAN, BEING DULY SWORN ACCORDING TO LAW, STATES SERVICE WAS PERFORMED BY POSTING A TRUE COPY OF THE REQUESTED HANDBILL UPON THE REAL ESTATE LOCATED AT 219 DEVIL HOLE RUN ROAD, BENTON, PA 17814.

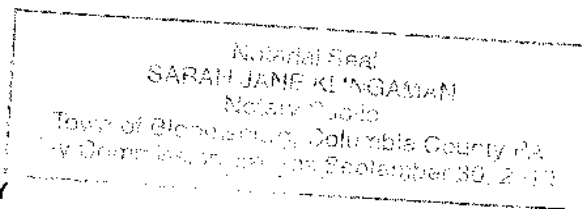

EARL MORDAN, DEPUTY

SO ANSWERS,


TIMOTHY T. CHAMBERLAIN, SHERIFF

March 06, 2012

NOTARY



Affirmed and subscribed to before me this

6TH day of MARCH

2012



Plaintiff Attorney: MCNERNEY, PAGE, VANDERLIN & HALL, 433 MARKET STREET, WILLIAMSPORT, PA 17701

SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain
Sheriff



James D. Arter
Chief Deputy

SUSQUEHANNA BANK
vs.
JOSEPH A LOZAK (et al.)

Case Number
2011CV859

SHERIFF'S RETURN OF SERVICE

02/10/2012 09:40 AM - DEPUTY EARL MORDAN, BEING DULY SWORN ACCORDING TO LAW, SERVED THE REQUESTED NOTICE OF SALE, WRIT OF EXECUTION AND DEBTOR'S RIGHTS BY "PERSONALLY" HANDING A TRUE COPY TO A PERSON REPRESENTING THEMSELVES TO BE JOSEPH LOZAK, WHO ACCEPTED AS "ADULT PERSON IN CHARGE" FOR PATTI A FREY AT 219 DEVIL HOLE RUN ROAD, BENTON, PA 17814.


EARL MORDAN, DEPUTY

SO ANSWERS,

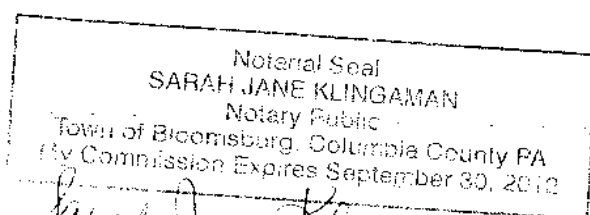

TIMOTHY T. CHAMBERLAIN, SHERIFF

February 10, 2012

Affirmed and subscribed to before me this

NOTARY

10TH day of FEBRUARY, 2012



Plaintiff Attorney: MCNERNEY, PAGE, VANDERLIN & HALL, 433 MARKET STREET, WILLIAMSPORT, PA 17701

SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain
Sheriff



James D. Arter
Chief Deputy

SUSQUEHANNA BANK
vs.
JOSEPH A LOZAK (et al.)

Case Number
2011CV859

SHERIFF'S RETURN OF SERVICE

02/10/2012 09:40 AM - DEPUTY EARL MORDAN, BEING DULY SWORN ACCORDING TO LAW, SERVED THE REQUESTED NOTICE OF SALE, WRIT OF EXECUTION AND DEBTOR'S RIGHTS BY "PERSONALLY" HANDING A TRUE COPY TO A PERSON REPRESENTING THEMSELVES TO BE THE DEFENDANT, TO WIT: JOSEPH A LOZAK AT 219 DEVIL HOLE RUN ROAD, BENTON, PA 17814.


EARL MORDAN, DEPUTY

SO ANSWERS,


TIMOTHY T. CHAMBERLAIN, SHERIFF

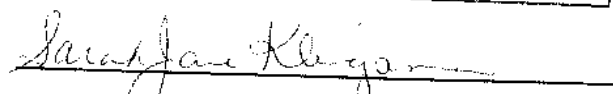
February 10, 2012

NOTARY

Affirmed and subscribed to before me this

10TH day of FEBRUARY, 2012

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



Plaintiff Attorney: MCNERNEY, PAGE, VANDERLIN & HALL, 433 MARKET STREET, WILLIAMSPORT, PA 17701

SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain
Sheriff



James D. Arter
Chief Deputy

SUSQUEHANNA BANK
vs.
JOSEPH A LOZAK (et al.)

Case Number
2011CV859

SERVICE COVER SHEET

Service Details:

Category:	Real Estate Sale - Posting - Sale Bill	Zone:	
Manner:	< Not Specified >	Expires:	03/05/2012
Notes:	SHERIFF'S SALE BILL		

Serve To:

Name:	(POSTING)
Primary Address:	219 DEVIL HOLE RUN ROAD BENTON, PA 17814
Phone:	DOB:
Alternate Address:	
Phone:	

Final Service:

Served:	Personally · Adult In Charge <u>Posted</u> · Other
Adult In Charge:	219 Devil Hole Run Rd
Relation:	Back Door (main entrance)
Date:	03/06/12
Time:	10:55
Deputy:	#7
Mileage:	

Attorney / Originator:

Name: MCNERNEY, PAGE, VANDERLIN & HALL	Phone:
---	---------------

Service Attempts:

Date:						
Time:						
Mileage:						
Deputy:						

Service Attempt Notes:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

(POSTING)

2011CV859

219 DEVIL HOLE RUN ROAD, BENTON, PA 17814

EXP: 03/05/2012

SUSQUEHANNA BANK, successor
to SUSQUEHANNA BANK PA,
Plaintiff

vs.

JOSEPH A. LOZAK and
PATTI A. FREY,
Defendants

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

: NO. 2011-CV-859
:
:

: CIVIL ACTION - LAW
: MORTGAGE FORECLOSURE

**NOTICE PURSUANT TO
PA.R.C.P. 3129.2**

TO: Joseph A. Lozak and Patti A. Frey, Defendants in the above-captioned matter and owners or reputed owners of the real estate hereinafter described and the following lienholders and interested parties:

Susquehanna Bank, successor
to WNB Bank
204 Hepburn Street
Williamsport, PA 17701

Capital One Bank (USA) N.A.
c/o Paul J. Klemm, Esquire
425 Eagle Rock Avenue
Roseland, NJ 07068

WNB Bank, now Susquehanna Bank
204 Hepburn Street
Williamsport, PA 17701

Susquehanna Bank PA,
now Susquehanna Bank
204 Hepburn Street
Williamsport, PA 17701

Debra Piatt, Tax Collector
211 Beech Glenn Road
Benton, PA 17814

Columbia County Tax Claim Bureau
11 West Main Street
Main Street County Annex
Bloomsburg, PA 17815

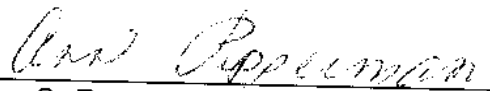
XTO Energy, Inc.
810 Houston Street
Fort Worth, TX 76102

YOU ARE HEREBY NOTIFIED that by virtue of a Writ of Execution issued out of the Court of Common Pleas of Columbia County upon a judgment obtained in the above stated mortgage foreclosure action, and directed to the Sheriff of Columbia County, the Sheriff of Columbia County will expose to public sale at the Columbia County Courthouse, 35 West Main Street, Bloomsburg, Pennsylvania, on _____, 2012, at _____, _____m., the real estate and the improvements erected thereon, if any, described in Exhibit "A" attached hereto and made a part of this Notice.

You are further notified that a schedule of proposed distribution of the proceeds of the above sale will be filed by the Sheriff of Columbia County, Pennsylvania, in his office at the Columbia County Courthouse, 35 West Main Street, Bloomsburg, Pennsylvania on _____, 2012 and that distribution of said proceeds will be made in accordance with said Schedule of Distribution unless exceptions are filed thereto within ten (10) days thereafter.

Submitted by;

McNERNEY, PAGE, VANDERLIN & HALL

BY: 
Ann S. Pepperman, Esquire
Attorney for Plaintiff
Attorney ID No. 25482

433 Market Street
P.O. Box 7
Williamsport, PA 17703
Telephone: 570-326-6555

ALL THAT CERTAIN piece, parcel and lot of land situate in the Township of Pine, County of Columbia and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center of Township Road No. T-683 where said road intersects boundary between land now or formerly of LaRue D. Bitler and Mabel Bitler, his wife, and lands now or formerly of Harry Potter, said point being sixteen and one-half (16 ½) feet north from an iron pin situated in said boundary line; thence from said point of beginning and along line now or formerly of Harry Potter, south one (1) degree west one thousand seven hundred (1,700) feet to an iron pin; thence by line of land now or formerly of Glen Stere, north eighty-nine (89) degrees west three hundred seventy (370) feet to an iron pin; thence by line of other lands now or formerly of LaRue D. Bitler and Mabel Bitler, his wife, north fourteen (14) degrees twenty (20) minutes east, five hundred ninety (590) feet to an iron pin; thence continuing along the same, south eighty-four (84) degrees forty-five (45) minutes east two hundred eight (208) feet to an iron pin; thence continuing along the same north one (1) degree east one thousand one hundred forty-four (1,144) feet to the center of Township Road T-683 aforesaid; thence by the center of said Township Road south seventy-three (73) degrees forty (40) minutes east, thirty (30) feet to the point and place of beginning. Containing 4.57 acres.

BEING the same premises granted and conveyed unto Joseph A. Lozak and Patti A. Frey, as joint tenants with the right of survivorship and not as tenants in common, by deed of Graddon P. Bitler and Gloria D. Bitler, his wife, dated May 2, 2003 and recorded in the Office for the Recording of Deeds in and for Columbia County, to Instrument No. 200306288.

FOR IDENTIFICATION PURPOSES ONLY, being known as Parcel No. 29-12-003-03 in the Office of the Columbia County Tax Assessor.

SEIZED, taken in execution and to be sold as the property of Joseph A. Lozak and Patti A. Frey, under a judgment entered against them in the Court of Common Pleas of Columbia County, Pennsylvania, docketed to No. 2011-CV-859.

SUSQUEHANNA BANK, successor
to SUSQUEHANNA BANK PA,
Plaintiff

vs.

JOSEPH A. LOZAK and
PATTI A. FREY,
Defendants

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

: NO. 2011-CV-859
:
:

: CIVIL ACTION - LAW
: MORTGAGE FORECLOSURE

AFFIDAVIT PURSUANT TO RULE 3129.1

COMMONWEALTH OF PENNSYLVANIA

:

: ss

COUNTY OF LYCOMING

:

ANN S. PEPPERMAN, attorney for Plaintiff and authorized to make this affidavit on its behalf, being duly sworn according to law, sets forth as of the date the praecipe for the writ of execution was filed, the following information concerning the real property located at 219 Devil Hole Run Road, Benton, Columbia County, PA, Pennsylvania, described in Exhibit "A" attached hereto and made a part of this affidavit.

1. Name and address of owners or reputed owners:

Name

Address

Joseph A. Lozak

219 Devil Hole Run Road
Benton, PA 17814

Patti A. Frey

219 Devil Hole Run Road
Benton, PA 17814

2. Name and address of Defendants in the judgment:

Name

Address

Joseph A. Lozak

219 Devil Hole Run Road
Benton, PA 17814

Patti A. Frey

219 Devil Hole Run Road
Benton, PA 17814

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

<u>Name</u>	<u>Address</u>
Susquehanna Bank, successor to WNB Bank	204 Hepburn Street Williamsport, PA 17701
Capital One Bank (USA) N.A.	425 Eagle Rock Avenue c/o Paul J. Klemm, Esquire Roseland, NJ 07068

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

<u>Name</u>	<u>Address</u>
WNB Bank, now Susquehanna Bank	204 Hepburn Street Williamsport, PA 17701
Susquehanna Bank PA, now Susquehanna Bank	204 Hepburn Street Williamsport, PA 17701

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

<u>Name</u>	<u>Address</u>
Debra Piatt, Tax Collector	211 Beech Glenn Road Benton, PA 17814
Columbia County Tax Claim Bureau	11 West Main Street Main Street County Annex Bloomsburg, PA 17815

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

<u>Name</u>	<u>Address</u>
XTO Energy, Inc.	810 Houston Street Fort Worth, TX 76102

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

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. §4904 relating to unsworn falsification to authorities.

2/3/12
Date

Ann S. Pepperman
Ann S. Pepperman, Esquire

ALL THAT CERTAIN piece, parcel and lot of land situate in the Township of Pine, County of Columbia and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center of Township Road No. T-683 where said road intersects boundary between land now or formerly of LaRue D. Bitler and Mabel Bitler, his wife, and lands now or formerly of Harry Potter, said point being sixteen and one-half (16 ½) feet north from an iron pin situated in said boundary line; thence from said point of beginning and along line now or formerly of Harry Potter, south one (1) degree west one thousand seven hundred (1,700) feet to an iron pin; thence by line of land now or formerly of Glen Stere, north eighty-nine (89) degrees west three hundred seventy (370) feet to an iron pin; thence by line of other lands now or formerly of LaRue D. Bitler and Mabel Bitler, his wife, north fourteen (14) degrees twenty (20) minutes east, five hundred ninety (590) feet to an iron pin; thence continuing along the same, south eighty-four (84) degrees forty-five (45) minutes east two hundred eight (208) feet to an iron pin; thence continuing along the same north one (1) degree east one thousand one hundred forty-four (1,144) feet to the center of Township Road T-683 aforesaid; thence by the center of said Township Road south seventy-three (73) degrees forty (40) minutes east, thirty (30) feet to the point and place of beginning. Containing 4.57 acres.

BEING the same premises granted and conveyed unto Joseph A. Lozak and Patti A. Frey, as joint tenants with the right of survivorship and not as tenants in common, by deed of Gradon P. Bitler and Gloria D. Bitler, his wife, dated May 2, 2003 and recorded in the Office for the Recording of Deeds in and for Columbia County, to Instrument No. 200306288.

FOR IDENTIFICATION PURPOSES ONLY, being known as Parcel No. 29-12-003-03 in the Office of the Columbia County Tax Assessor.

SEIZED, taken in execution and to be sold as the property of Joseph A. Lozak and Patti A. Frey, under a judgment entered against them in the Court of Common Pleas of Columbia County, Pennsylvania, docketed to No. 2011-CV-859.

SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain
Sheriff



James D. Arter
Chief Deputy

SUSQUEHANNA BANK
vs.
JOSEPH A LOZAK (et al.)

Case Number
2011CV859

SERVICE COVER SHEET

Service Details:

Category: Real Estate Sale - Sale Notice

Zone:

Manner: < Not Specified >

Expires: 03/05/2012

Warrant:

Notes: PLAINTIFF NOTICE OF SHERIFF'S SALE AND DEBTOR'S RIGHTS

Serve To:

Name: JOSEPH A LOZAK

Primary Address: 219 DEVIL HOLE RUN ROAD
BENTON, PA 17814

Phone: DOB:

Alternate Address:

Phone:

Final Service:

Served: Personally · Adult in Charge · Posted · Other

Adult in Charge: Joseph Lozak

Relation: def

Date: 02/10/12 Time: 9:40

Deputy: #7 Mileage:

Attorney / Originator:

Name: MCNERNEY, PAGE, VANDERLIN & HALL

Phone:

Service Attempts:

Date: 02/07/12

Time: 11:55

Mileage:

Deputy: #7

Service Attempt Notes:

1. L.C.

2.

3. Please put in computer

4. Joe Lozak phone 220-5130

5.

6.

LOZAK, JOSEPH A

2011CV859

219 DEVIL HOLE RUN ROAD, BENTON, PA 17814

EXP: 03/05/2012

SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain
Sheriff



James D. Arter
Chief Deputy

SUSQUEHANNA BANK
vs.
JOSEPH A LOZAK (et al.)

Case Number
2011CV859

SERVICE COVER SHEET

Service Details:

Category: Real Estate Sale - Sale Notice

Zone:

Manner: < Not Specified >

Expires: 03/05/2012

Warrant:

Notes: PLAINTIFF NOTICE OF SHERIFF'S SALE AND DEBTOR'S RIGHTS

Serve To:

Name: PATTI A FREY

Primary Address: 219 DEVIL HOLE RUN ROAD
BENTON, PA 17814

Phone: DOB:

Alternate Address:

Phone:

Final Service:

Served: Personally Adult In Charge Posted Other

Adult In Charge: Joseph Lozak

Relation: S.O.

Date: 02/10/12 Time: 9:40

Deputy: #7 Mileage:

Attorney / Originator:

Name: MCNERNEY, PAGE, VANDERLIN & HALL

Phone:

Service Attempts:

Date: 02/07/12

Time: 11:55

Mileage:

Deputy: #7

Service Attempt Notes:

1. L.C.
- 2.
- 3.
- 4.
- 5.
- 6.

FREY, PATTI A

2011CV859

219 DEVIL HOLE RUN ROAD, BENTON, PA 17814

EXP: 03/05/2012

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

DATE: 09-FEB-12

FEE: \$5.00

CERT. NO 11406

LOZAK JOSEPH A
PATTI A FREY
219 DEVILS HOLE RUN RD
BENTON PA 17814

DISTRICT: PINE TWP
DEED: 20030-6288
LOCATION: 219 DEVIL HOLE RUN RD BENTON
PARCEL: 29 -12 -003-03,000

YEAR	BILL ROLL	AMOUNT	INTEREST	PENDING COSTS	TOTAL AMOUNT DUE
2010	PRIM	3,891.20	0.00	0.00	3,891.20
2008	PRIM	2,848.66	0.00	0.00	2,848.66
2011	PRIM	3,985.94	88.68	30.00	4,104.62
2009	PRIM	4,120.50	0.00	0.00	4,120.50
TOTAL DUE :					\$14,964.98

TAX CLAIM TOTAL AMOUNT DUE DURING THE MONTH OF: May , 2012

THIS IS TO CERTIFY THAT, ACCORDING TO OUR RECORDS, TAX LIENS AS OF
DECEMBER 31, 2011

REQUESTED BY:

Columbia County Sheriff 

* 2008 } covered under bankruptcy filed under FREY
2009 }
2010 }



[REDACTED]

To: SHERIFF, COLUMBIA COUNTY Fax 389-5625
From: DEBRA PIATT PINE TWP. TAX COLLECTOR Date: 2/08/12
Re: TAX INFO. JOSEPH LOZAK (COUNTY/TWP. 2012) Pages:
Att.:

☐ Urgent

☐ For
Review

☐ Please Comment

☐ Ple
Rep



CONFIDENTIAL

FROM : Debra Piatt

FAX NO. : 570-458-6072

Feb. 8 2012 8:29PM P2

Tax Notice 2012 County & Municipality

PINE TWP

MAKE CHECKS PAYABLE TO:

Debra Piatt
211 BEECH GLENN RD
Benton PA 17814

HOURS: MONDAY: 6PM TO 9PM DURING DISCOUNT
AFTER DISCOUNT BY APPT. ONLY.

MY HOME: 1PM TO 3PM ON APRIL 28 & AUG 25

PHONE: 570-458-6072

FOR: COLUMBIA County

DATE
03/01/2012

BILL NO.
27621

DESCRIPTION	ASSESSMENT	MILLS	LESS DISCOUNT	TAX AMOUNT DUE	INCL PENALTY
GENERAL	70,412	7.146	493.10	503.16	553.48
SINKING		1.345	92.81	94.70	104.17
TWP RE		.389	26.84	27.39	28.76
The discount & penalty have been calculated for your convenience			PAY THIS AMOUNT	612.75 April 30 If paid on or before	625.25 June 30 If paid on or before
					686.41 June 30 If paid after

TAXES ARE DUE & PAYABLE - PROMPT PAYMENT IS REQUESTED

LOZAK JOSEPH A
PATTI A FREY
219 DEVILS HOLE RUN RD
BENTON PA 17814

CNTY TWP
Discount 2 % 2 %
Penalty 10 % 5 %
PARCEL: 29-12-003-03,000
219 DEVIL HOLE RUN RD
4.57 Acres

Land 7,931
Buildings 62,481
Total Assessment 70,412

This tax returned
to courthouse on:
January 1, 2013

THIS TAX NOTICE MUST BE RETURNED WITH YOUR PAYMENT

SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain
Sheriff



James D. Arter
Chief Deputy

SUSQUEHANNA BANK
vs.
JOSEPH A LOZAK (et al.)

Case Number
2011CV859

SERVICE COVER SHEET

Service Details:

Category: Real Estate Sale - Sale Notice

Zone:

Manner: < Not Specified >

Expires: 03/05/2012

Warrant:

Notes: PLAINTIFF NOTICE OF SHERIFF'S SALE AND DEBTOR'S RIGHTS

Serve To:

Name: Debra Piatt

Primary Address: 211 Beech Glenn Road
Benton, PA 17814

Phone: 570-458-6072

DOB:

Alternate Address:

Phone:

Final Service:

Served: Personally Adult In Charge · Posted · Other

Adult In Charge:

~~Debra~~ Debra Piatt

Relation:

Def

Date:

2-8-12

Time:

12:45

Deputy:

4

Mileage:

Attorney / Originator:

Name: MCNERNEY, PAGE, VANDERLIN & HALL

Phone:

Service Attempts:

Date:

02/07/12

Time:

11:45

Mileage:

Deputy:

#7

Service Attempt Notes:

1. L.C.

2.

3.

4.

5.

6.

PIATT, DEBRA

2011CV859

211 BEECH GLENN ROAD, BENTON, PA 17814

EXP: 03/05/2012

SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain
Sheriff



James D. Arter
Chief Deputy

SUSQUEHANNA BANK
vs.
JOSEPH A LOZAK (et al.)

Case Number
2011CV859

SERVICE COVER SHEET

Service Details:

Category:	Real Estate Sale - Sale Notice		Zone:	
Manner:	< Not Specified >	Expires:	03/05/2012	Warrant:
Notes:	PLAINTIFF NOTICE OF SHERIFF'S SALE AND DEBTOR'S RIGHTS			

Serve To:

Name:	Columbia County Tax Office	
Primary Address:	PO Box 380 Bloomsburg, PA 17815	
Phone:	570-389-5649	DOB:
Alternate Address:		
Phone:		

Final Service:

Served:	Personally <u>Adult In Charge</u> Posted Other		
Adult In Charge:	Debbie Moore		
Relation:	Clerk		
Date:	02/06/12	Time:	14:20
Deputy:	#7	Mileage:	

Attorney / Originator:

Name:	MCNERNEY, PAGE, VANDERLIN & HALL	Phone:	
-------	----------------------------------	--------	--

Service Attempts:

Date:						
Time:						
Mileage:						
Deputy:						

Service Attempt Notes:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

COLUMBIA COUNTY TAX

2011CV859

PO BOX 380, BLOOMSBURG, PA 17815

EXP: 03/05/2012

SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain
Sheriff



James D. Arter
Chief Deputy

SUSQUEHANNA BANK
vs.
JOSEPH A LOZAK (et al.)

Case Number
2011CV859

SERVICE COVER SHEET

Service Details:

Category: Real Estate Sale - Sale Notice

Zone:

Manner: < Not Specified >

Expires: 03/05/2012

Warrant:

Notes: PLAINTIFF NOTICE OF SHERIFF'S SALE AND DEBTOR'S RIGHTS

Serve To:

Name: Domestic Relations Office of Columbia

Primary Address: 15 Perry Avenue
Bloomsburg, PA 17815

Phone: DOB:

Alternate Address:

Phone:

Final Service:

Served: Personally Adult In Charge Posted Other

Adult In Charge: Betty Beyers

Relation: dom. rel. officer

Date: 02/06/12 Time: 12:20

Deputy: #7 Mileage:

Attorney / Originator:

Name: MCNERNEY, PAGE, VANDERLIN & HALL

Phone:

Service Attempts:

Date:						
Time:						
Mileage:						
Deputy:						

Service Attempt Notes:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

DOMESTIC RELATIONS

2011CV859

15 PERRY AVENUE, BLOOMSBURG, PA 17815

EXP: 03/05/2012

Document Receipt

Trans #	13660	Carrier / service:	POST	2PM	2/6/2012
---------	-------	--------------------	------	-----	----------

Ship to: IRS

INTERNAL REVENUE SERVICE

WILLIAM GREEN FEDERAL BUILDING
600 ARCH STREET ROOM 3259

Tracking #: 9171924291001000012658

Doc Ref #: 18ED2012

PHILADELPHIA PA 19106

Document Receipt

Trans #	13659	Carrier / service:	POST	2PM	2/6/2012
---------	-------	--------------------	------	-----	----------

Ship to: COP

COMMONWEALTH OF PENNSYLVANIA DEPT OF REV SHERIFF SALE

DEPARTMENT 281230

Tracking #: 9171924291001000012641

Doc Ref #: 18ED2012

HARRISBURG PA 17128

Document Receipt

Trans #	13658	Carrier / service:	POST	2PM	2/6/2012
---------	-------	--------------------	------	-----	----------

Ship to: FAIR

OFFICE OF F.A.I.R.

DEPARTMENT OF PUBLIC WELFARE
PO BOX 8016

Tracking #: 9171924291001000012634

Doc Ref #: 18ED2012

HARRISBURG PA 17105

Document Receipt

Trans #	13657	Carrier / service:	POST	2PM	2/6/2012
---------	-------	--------------------	------	-----	----------

Ship to: SBA

U.S. Small Business Administration

PHILADELPHIA DISTRICT
OFFICE

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

Tracking #: 9171924291001000012627

Doc Ref #: 18ED2012

KING OR PA 19406
PRUSSIA

Document Receipt

Trans # 13656 Carrier / service: POST 2PM 2/6/2012

Ship to: 13656

XTO ENERGY INC.

810 HOUSTON STREET

Tracking #: 9171924291001000012610

Doc Ref #: 18ED2012

FORT WORTH TX 76102

Document Receipt

Trans #	13655	Carrier / service:	POST	2PM	2/6/2012
---------	-------	--------------------	------	-----	----------

Ship to: 13655

CAPITAL ONE BANK (USA) NA

C/O PAUL KLEMM, ESQ

425 EAGLE ROCK AVENUE

Tracking #: 9171924291001000012603

Doc Ref #: 18ED2012

ROSELAND NJ 07068

SHERIFF'S SALE

By Virtue of a Writ of Execution (Mortgage Foreclosure)
No. 2011CV859

Issued out of the Court of Common Pleas of Columbia County, Pennsylvania and to me directed, I will expose the following described property at public sale at the Columbia County Courthouse in the Town of Bloomsburg, County of Columbia, Commonwealth of Pennsylvania on:

WEDNESDAY, APRIL 11, 2012
AT 9:00 O'CLOCK A.M.

All parties in interest and claimants are further notified that a proposed schedule of distribution will be on file in the Sheriff's Office no later than thirty (30) days after the date of the sale of any property sold hereunder, and distribution of the proceeds will be made in accordance with the schedule ten (10) days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

ALL THAT CERTAIN piece, parcel and lot of land situate in the Township of Pine, County of Columbia and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center of Township Road No. T-683 where said road intersects boundary between land now or formerly of LaRue D. Bitler and Mabel Bitler, his wife, and lands now or formerly of Harry Potter, said point being sixteen and one-half (16 1/2) feet north from an iron pin situated in said boundary line; thence from said point of beginning and along line now or formerly of Harry Potter, south one (1) degree west one thousand seven hundred (1,700) feet to an iron pin; thence by line of land now or formerly of Glen Stere, north eighty-nine (89) degrees west three hundred seventy (370) feet to an iron pin; thence by line of other lands now or formerly of LaRue D. Bitler and Mabel Bitler, his wife, north fourteen (14) degrees twenty (20) minutes east, five hundred ninety (590) feet to an iron pin; thence continuing along the same, south eighty-four (84) degrees forty-five (45) minutes east two hundred eight (208) feet to an iron pin; thence continuing along the same north one (1) degree east one thousand one hundred forty-four (1,144) feet to the center of Township Road T-683 aforesaid; thence by the center of said Township Road south seventy-three (73) degrees forty (40) minutes east, thirty (30) feet to the point and place of beginning. Containing 4.57 acres. BEING the same premises granted and conveyed unto Joseph A. Lozak and Patti A. Frey, as joint tenants with the right of survivorship and not as tenants in common, by deed of Graddon P. Bitler and Gloria D. Bitler, his wife, dated May 2, 2003 and recorded in the Office for the Recording of Deeds in and for Columbia County, to Instrument No. 200306288. FOR IDENTIFICATION PURPOSES ONLY, being known as Parcel No. 29-12-003-03 in the Office of the Columbia County Tax Assessor.

SEIZED, taken in execution and to be sold as the property of Joseph A. Lozak and Patti A. Frey, under a judgment entered against them in the Court of Common Pleas of Columbia County, Pennsylvania, docketed to No. 2011-CV-859.

PROPERTY ADDRESS: 219 DEVIL HOLE RUN ROAD, BENTON, PA 17814

UPI / TAX PARCEL NUMBER: 29-12-003-03

Seized and taken into execution to be sold as the property of JOSEPH A LOZAK, PATTI A FREY in suit of SUSQUEHANNA BANK.

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 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 to either 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 the 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.

Attorney for the Plaintiff:
MCNERNEY, PAGE, VANDERLIN & HALL
WILLIAMSPORT, PA

TIMOTHY T. CHAMBERLAIN, Sheriff
COLUMBIA COUNTY, Pennsylvania

REAL ESTATE OUTLINE

ED # 18-12

DATE RECEIVED 2-3-12
DOCKET AND INDEX 2-6-12

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"/>	
NOTICES OF SHERIFF SALE	<input checked="" type="checkbox"/>	
WAIVER OF WATCHMAN	<input checked="" type="checkbox"/>	
AFFIDAVIT OF LIENS LIST	<input checked="" type="checkbox"/>	
CHECK FOR \$1,350.00 OR _____	<input checked="" type="checkbox"/>	CK# <u>110500294</u>

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

SALE DATE Apr 11, 12 TIME 0900
POSTING DATE Mar 5
ADV. DATES FOR NEWSPAPER

1 ST WEEK	<u>Mar 21</u>
2 ND WEEK	<u>38</u>
3 RD WEEK	<u>Apr 4, 12</u>

SUSQUEHANNA BANK, successor
to SUSQUEHANNA BANK PA,
Plaintiff

vs.

JOSEPH A. LOZAK and
PATTI A. FREY,
Defendants

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

: NO. 2011-CV-859

: 2012-ED-18

: CIVIL ACTION - LAW
: MORTGAGE FORECLOSURE

NOTICE

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER CONTACT:

Pennsylvania Bar Association
Lawyer Referral Service
100 South Street
P. O. Box 186
Harrisburg, PA 17108-0186
Telephone (800) 692-7375

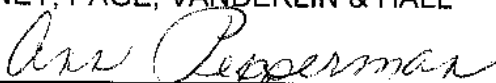
IF YOU CANNOT AFFORD A LAWYER, YOU MAY BE ELIGIBLE FOR LEGAL AID THROUGH:

Legal Services Office
168 East Fifth Street
Bloomsburg, PA 17815
Telephone (570) 784-8760

Submitted by;

McNERNEY, PAGE, VANDERLIN & HALL

BY:



Ann S. Pepperman, Esquire
Attorney for Plaintiff
I.D. No. 25482

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 statutory exemption.
2. Bibles, school books, sewing machines, uniforms and equipment.
3. Most wages and unemployment compensation.
4. Social Security benefits.
5. Certain retirement funds and accounts.
6. Certain veteran and armed forces benefits.
7. Certain insurance proceeds.
8. Such other exemptions as may be provided by law.

SUSQUEHANNA BANK, successor
to SUSQUEHANNA BANK PA,
Plaintiff

vs.

JOSEPH A. LOZAK and
PATTI A. FREY,
Defendants

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
:
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: NO. 2011-CV-859

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**THIS CLAIM TO BE FILED WITH THE SHERIFF OF COLUMBIA COUNTY
35 West Main Street, Bloomsburg, PA 17815**

CLAIM FOR EXEMPTION

To The SHERIFF of COLUMBIA COUNTY

I, the within named defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300 statutory exemption be

____ (i) set aside in kind (specify property to be set aside in kind):

____ (ii) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption):

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) my \$300 statutory exemption: ____ in cash; ____ in kind (specify property):

(b) Social Security benefits on deposit in the amount of \$ _____;

(c) other (specify amount and basis of exemption):

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at

(Address)

(Telephone)

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Date: _____

(Defendant)

**WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)
P.R.C.P. 3180 TO 3183 AND RULE 3257**

SUSQUEHANNA BANK, successor
to SUSQUEHANNA BANK PA,
Plaintiff

IN THE COURT OF COMMON PLEAS OF
COLUMBIA COUNTY, PENNSYLVANIA

Exec. No. 2012-ED-18

vs.

Orig. No. 2011-CV-859

JOSEPH A. LOZAK and
PATTI A. FREY,
Defendants

WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)

Commonwealth of Pennsylvania:

County of Columbia:

TO THE SHERIFF OF COLUMBIA COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following described property. (Specifically describe property below)

219 Devil Hole Run Road, Benton, Columbia County, Pennsylvania

Amount Due	\$33,718.00
Interest to 01-26-12	30,709.14
Late Charges	5,705.98
Other Charges	10,993.73
Attorneys Fees	<u>2,500.00</u>

TOTAL\$83,566.85

together with interest at the interest rate provided in the Note, which, at the current interest rate of 7.75% per annum, accrues at a daily rate of \$7.25873, as adjusted in accordance with the terms of the Note, from January 26, 2012 until paid in full, late charges as they continue to accrue at the rate of \$190.42 per month from January 26, 2012 until payment is made to the Plaintiff, and costs of suit.

Tam B. Kline
Prothonotary, Common Pleas Court of
Columbia County, Pennsylvania
Proth & Clerk of Sev. Courts
My Com. Ex. 1st Monday in 2016

Dated: 2-3-12
(SEAL)

BY: Kelly P. Brewer Deputy

ALL THAT CERTAIN piece, parcel and lot of land situate in the Township of Pine, County of Columbia and Commonwealth of Pennsylvania, bounded and described as follows:

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SUSQUEHANNA BANK, successor
to SUSQUEHANNA BANK PA,
Plaintiff

vs.

JOSEPH A. LOZAK and
PATTI A. FREY,
Defendants

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
:
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: NO. 2011-CV-859
:
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: CIVIL ACTION - LAW
: MORTGAGE FORECLOSURE

AFFIDAVIT PURSUANT TO RULE 3129.1

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF LYCOMING

:
: ss
:

ANN S. PEPPERMAN, attorney for Plaintiff and authorized to make this
affidavit on its behalf, being duly sworn according to law, sets forth as of the date the
praecipe for the writ of execution was filed, the following information concerning the real
property located at 219 Devil Hole Run Road, Benton, Columbia County, PA,
Pennsylvania, described in Exhibit "A" attached hereto and made a part of this affidavit.

1. Name and address of owners or reputed owners:

Name

Address

/ Joseph A. Lozak

219 Devil Hole Run Road
Benton, PA 17814

→ Patti A. Frey

219 Devil Hole Run Road
Benton, PA 17814

2. Name and address of Defendants in the judgment:

Name

Address

Joseph A. Lozak

219 Devil Hole Run Road
Benton, PA 17814

Patti A. Frey

219 Devil Hole Run Road
Benton, PA 17814

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

<u>Name</u>	<u>Address</u>
Susquehanna Bank, successor to WNB Bank	204 Hepburn Street Williamsport, PA 17701
3 Capital One Bank (USA) N.A.	425 Eagle Rock Avenue c/o Paul J. Klemm, Esquire Roseland, NJ 07068

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

<u>Name</u>	<u>Address</u>
WNB Bank, now Susquehanna Bank	204 Hepburn Street Williamsport, PA 17701
Susquehanna Bank PA, now Susquehanna Bank	204 Hepburn Street Williamsport, PA 17701

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

<u>Name</u>	<u>Address</u>
Debra Piatt, Tax Collector	211 Beech Glenn Road Benton, PA 17814
Columbia County Tax Claim Bureau	11 West Main Street Main Street County Annex Bloomsburg, PA 17815

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

<u>Name</u>	<u>Address</u>
4 XTO Energy, Inc.	810 Houston Street Fort Worth, TX 76102

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

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. §4904 relating to unsworn falsification to authorities.

2/2/13
Date

Ann S. Pepperman
Ann S. Pepperman, Esquire

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SUSQUEHANNA BANK, successor
to SUSQUEHANNA BANK PA,
Plaintiff

vs.

JOSEPH A. LOZAK and
PATTI A. FREY,
Defendants

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

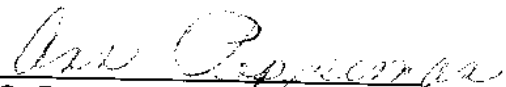
: NO. 2011-CV-859
:
:

: CIVIL ACTION - LAW
: MORTGAGE FORECLOSURE

WAIVER OF WATCHMAN

I, Ann S. Pepperman, Esquire, do hereby state that any Deputy Sheriff or Sheriff levying upon or attaching any property under the writ issued in the above-captioned matter may leave same without a watchman, in custody of whomever is found in possession, after notifying such person of such levy or attachment, without liability of the part of such Deputy Sheriff or Sheriff to any plaintiff herein for any loss, destruction or removal of any such property before the Sheriff's sale thereof.

Attorney for Plaintiff



Ann S. Pepperman, Esquire
I.D. No. 25482

433 Market Street
PO Box 7
Williamsport, PA 17701
(570) 326-6555

SUSQUEHANNA BANK, successor
to SUSQUEHANNA BANK PA,
Plaintiff

vs.

JOSEPH A. LOZAK and
PATTI A. FREY,
Defendants

: IN THE COURT OF COMMON PLEAS OF
: COLUMBIA COUNTY, PENNSYLVANIA
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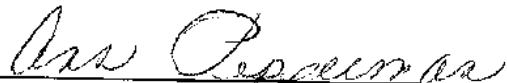
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Attorney for Plaintiff



Ann S. Pepperman, Esquire
I.D. No. 25482

433 Market Street
PO Box 7
Williamsport, PA 17701
(570) 326-6555

THIS CHECK MUST BE AN ORIGINAL, WATERMARK PRINTED ON THE BACK

OFFICIAL CHECK

ABSENCE OF THIS FEATURE WILL INDICATE A COPY



5209
110

110500294

Date: 1/26/12

Pay to the
order of
COLUMBIA COUNTY SHERIFF
EXACTLY **1,350 AND 00/100 DOLLARS

\$*****1,350.00

DRAWER: SUSQUEHANNA BANK

Debra C. Cobb
Authorized Signature

M E M O :

ISSUED BY: MONETGRAM PAYMENTS SYSTEMS, INC.
P.O. BOX 9476 MINNEAPOLIS MN 55480
DRAWN: THE BANK OF NEW YORK MELLON, EVERETT, MA

⑈0110500294⑈ ⑈011007092⑈0160012089190⑈