

# COLUMBIA COUNTY SHERIFF'S OFFICE

## SHERIFF'S REAL ESTATE FINAL COST SHEET

Fifth Third Mort. Co. vs Timothy Neuhoff

NO. 33-15 ED NO. 161-2015 JD

DATE/TIME OF SALE: June 10, 2015 at 9:00 am

BID PRICE (INCLUDES COST)

\$ 50,000.00 (1850.19)

POUNDAGE - 2% OF BID

\$ 1000.00

TRANSFER TAX - 2% OF FAIR MKT

\$ -

MISC. COSTS

\$ 250.00

TOTAL AMOUNT NEEDED TO PURCHASE

\$ 3100.19

PURCHASER(S):

Ray L. Mull

ADDRESS:

NAMES(S) ON DEED:

PURCHASER(S) SIGNATURE(S):

TOTAL DUE:

\$ 3100.19

LESS DEPOSIT:

\$ 1350.00

DOWN PAYMENT:

\$ -

TOTAL DUE IN 8 DAYS

\$ 1750.19

# SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain  
Sheriff

Earl D. Mordan, Jr.  
Chief Deputy



|                              |                         |
|------------------------------|-------------------------|
| <b><u>Plaintiff</u></b>      | <b><u>Defendant</u></b> |
| FIFTH THIRD MORTGAGE COMPANY | TIMOTHY J NEWHART       |

**Attorney for the Plaintiff:**  
PHELAN & HALLINAN LLP  
ONE PENN CENTER AT SUBURAN STATION  
SUITE 1400 1617 JFK BLVD  
PHILADELPHIA, PA 19103-1814

**Sheriff's Sale Date:** Wednesday, June 10, 2015

**Writ of Execution No. :** 2015CV161

**Advance Sheriff Costs:** \$1,350.00

**Location of the real estate:** 926 LASALLE STREET, BERWICK, PA 18603

## Sheriff Costs

|                                 |            |
|---------------------------------|------------|
| Advertising Sale (Newspaper)    | \$15.00    |
| Advertising Sale Bills & Copies | \$17.50    |
| Crying Sale                     | \$10.00    |
| Docketing                       | \$15.00    |
| Levy                            | \$15.00    |
| Mailing Costs                   | \$42.00    |
| Posting Handbill                | \$15.00    |
| Press Enterprise Inc.           | \$1,004.19 |
| Prothonotary, Acknowledge Deed  | \$10.00    |
| Sheriff Automation Fund         | \$50.00    |
| Sheriff's Deed                  | \$35.00    |
| Solicitor Services              | \$75.00    |
| Transfer Tax Form               | \$25.00    |
| Web Posting                     | \$100.00   |
| Service                         | \$165.00   |
| Service Mileage                 | \$24.00    |
| Distribution Form               | \$25.00    |
| Copies                          | \$5.50     |
| Notary Fee                      | \$10.00    |
| Tax Claim Search                | \$5.00     |
| Surcharge                       | \$120.00   |

**Total Sheriff Costs** **\$1,783.19**

## Distribution Costs

|                |         |
|----------------|---------|
| Recording Fees | \$67.00 |
|----------------|---------|

**Total Distribution Costs** **\$67.00**

---

**Grand Total:** **\$1,850.19**

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

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

©2012 by Sheriff, Telecast, Inc.

# SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain  
Sheriff

Earl D. Mordan, Jr.  
Chief Deputy



FIFTH THIRD MORTGAGE COMPANY  
vs.  
TIMOTHY J NEWHART

Case Number  
2015CV161

**PROPERTY ADDRESS**

926 LASALLE STREET, BERWICK, PA 18603

## REAL ESTATE SALE REQUEST LEDGER

| DATE       | CATEGORY                        | MEMO        | CHK #     | DEBIT      | CREDIT     |
|------------|---------------------------------|-------------|-----------|------------|------------|
| 04/01/2015 | Advance Fee                     | Advance Fee | 001506950 | \$0.00     | \$1,350.00 |
| 04/01/2015 | Advertising Sale (Newspaper)    |             |           | \$15.00    | \$0.00     |
| 04/01/2015 | Advertising Sale Bills & Copies |             |           | \$17.50    | \$0.00     |
| 04/01/2015 | Crying Sale                     |             |           | \$10.00    | \$0.00     |
| 04/01/2015 | Docketing                       |             |           | \$15.00    | \$0.00     |
| 04/01/2015 | Levy                            |             |           | \$15.00    | \$0.00     |
| 04/01/2015 | Mailing Costs                   |             |           | \$42.00    | \$0.00     |
| 04/01/2015 | Posting Handbill                |             |           | \$15.00    | \$0.00     |
| 04/01/2015 | Poundage                        |             |           | \$1,000.00 | \$0.00     |
| 04/01/2015 | Press Enterprise Inc.           |             |           | \$1,004.19 | \$0.00     |
| 04/01/2015 | Prothonotary, Acknowledge Deed  |             |           | \$10.00    | \$0.00     |
| 04/01/2015 | Sheriff Automation Fund         |             |           | \$50.00    | \$0.00     |
| 04/01/2015 | Sheriff's Deed                  |             |           | \$35.00    | \$0.00     |
| 04/01/2015 | Solicitor Services              |             |           | \$75.00    | \$0.00     |
| 04/01/2015 | Transfer Tax Form               |             |           | \$25.00    | \$0.00     |
| 04/01/2015 | Web Posting                     |             |           | \$100.00   | \$0.00     |
| 06/04/2015 | Service                         |             |           | \$165.00   | \$0.00     |
| 06/04/2015 | Service Mileage                 |             |           | \$24.00    | \$0.00     |
| 06/04/2015 | Distribution Form               |             |           | \$25.00    | \$0.00     |
| 06/04/2015 | Copies                          |             |           | \$5.50     | \$0.00     |
| 06/04/2015 | Notary Fee                      |             |           | \$10.00    | \$0.00     |
| 06/04/2015 | Tax Claim Search                |             |           | \$5.00     | \$0.00     |
| 06/04/2015 | Surcharge                       |             |           | \$120.00   | \$0.00     |
| 06/04/2015 | Recording Fees                  |             |           | \$67.00    | \$0.00     |
| 06/10/2015 | Recorder, Lien Search           |             |           | \$250.00   | \$0.00     |

**\$3,100.19    \$1,350.00**

|                       |                     |
|-----------------------|---------------------|
| <b>TOTAL BALANCE:</b> | <b>\$(1,750.19)</b> |
|-----------------------|---------------------|

Phelan Hallinan Diamond & Jones, LLP  
One Penn Center Ste 1400  
Philadelphia, PA 19103

TD Bank, NA  
3-180/360

001554294

DATE  
9/22/2015

AMOUNT  
\*\*\*\*\$1,250.00

PAY ONE THOUSAND TWO HUNDRED FIFTY AND XX / 100 Dollars

TO THE Sheriff of Columbia County  
ORDER 35 W Main Street  
OF Bloomsburg, PA 17815

KXL [955346] 926 LASALLE STREET (2015-CV-161)

  
AUTHORIZED SIGNATURE

⑈001554294⑈ ⑆036001808⑆ 361508666⑈

Phelan Hallinan Diamond & Jones, LLP  
One Penn Center Ste 1400  
Philadelphia, PA 19103

TD Bank, NA  
3-180/360

001553868

DATE  
9/18/2015

AMOUNT  
\*\*\*\*\$500.19

PAY FIVE HUNDRED AND 19 / 100 Dollars

TO THE Sheriff of Columbia County  
ORDER 35 W Main Street  
OF Bloomsburg, PA 17815

KXL [955346] 926 LASALLE STREET (2015-CV-161) *Neuhoff*

*Francis S. Hallinan*  
AUTHORIZED SIGNATURE

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

⑈001553868⑈ ⑆036001808⑆ 361508666⑈

*RECORD OWNER AND  
LIEN CERTIFICATE*

First American Title Insurance Company

Harding, Hill & Turowski, LLP

P. Jeffrey Hill, Agent

No. 2015 – 007

ATTACHED TO AND FORMING A PART OF RECORD OWNER AND LIEN  
CERTIFICATE NO. 2015 – 007

\*\*\*\*\*

Subject to the encumbrance and claims as follows:

TAXES: Account No. 04C-01-317                      Paid through 2014  
Assessment: \$16,986

Lienable Water and Sewer Rents and/or charges by Municipalities – Collected By Sheriff

Mechanics and Municipal Claims – None

Mortgages: 1) Timothy J. Newhart to Fifth Third Mortgage Company  
Dated: November 27, 2009  
Instrument No. 200911525  
\$81,005.00

Complaint in Mortgage Foreclosure filed on February 5, 2015, to #161- MF- 2015  
Defendants served by Sheriff on February 12, 2015  
Judgment in Mortgage Foreclosure filed March 31, 2015  
Writ of Execution 33- ED- 2015, filed March 31, 2015, served by Sheriff on April 7, 2015

Judgments – None

Bankruptcies: None of record in Columbia County

**Exceptions:** Building restriction in chain of title: No building shall be closer than 15 feet to  
LaSalle Street.

**NOTE:** The status or validity of title to the subject premises may be affected by matters disclosed by survey, rights of parties in possession and other items not found of record and not certified hereon. Therefore, the Applicant is cautioned against using this Certificate as a basis for consummating a real estate transaction, until this Certificate is converted into a Title Binder or Commitment at which time additional exceptions and settlement requirements will be added.

Settlement or removal of items and exceptions will not be made on this Certificate. This Certificate may be converted into a report for title insurance at any time. If the conversion is made within six months from the date hereof, credit will be allowed against the fee previously paid.

FIRST AMERICAN TITLE INSURANCE COMPANY

Record Owner and Lien Certificate

Order No. 2015 - 007 Effective Date: June 10, 2015

Based upon the examination of evidence in the appropriate public records, Company certifies that the premises endorsed hereon are subject to the liens, encumbrances and exceptions to title hereinafter set forth. This Certificate does not constitute title insurance; liability hereunder is assumed by the Company solely in its capacity as a abstractor for its negligence, mistakes or omissions in a sum not exceeding Two Thousand Dollars unless otherwise endorsed hereon.

.....  
Legal Description –

All that certain lot, piece or parcel of land situate in the Borough of Berwick, Columbia County, Pennsylvania, east of LaSalle Street, being Lot Number Seven (7) Section Twenty-three (23) of the Berwick Land and Improvement Company Addition of Berwick, being bounded on the North by Lot No. Eight (8) Section Twenty-three (23), One Hundred Forty (140) feet; on the East by an alley, forty (40) feet; on the South by Lot No. Six (6) Section Twenty-three (23). One Hundred Forty (140) feet; on the West by LaSalle Street, Forty (40) feet, to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Timothy J. Newhart, by Deed from Connie E. Dandini, widow, dated 11/23/2009, recorded 12/04/2009 in Instrument Number 200911524.

Tax Parcel: 04C-01-317-00,000

Premises Being: 926 Lasalle Street, Berwick, PA 18603-1815



# SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain  
Sheriff

Earl D. Mordan, Jr.  
Chief Deputy



**Plaintiff**  
FIFTH THIRD MORTGAGE COMPANY

vs.

**Defendant**  
TIMOTHY J NEWHART

**Attorney for the Plaintiff:**

PHELAN & HALLINAN LLP  
ONE PENN CENTER AT SUBURAN STATION  
SUITE 1400 1617 JFK BLVD  
PHILADELPHIA, PA 19103-1814

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Recording Fees \$67.00

**Total Distribution Costs** \$67.00

**Grand Total:** \$1,850.19

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

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

(c) CountySuite Sheriff, Teleosoft, Inc.



1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
215-563-7000  
Fax #: 215-568-7616  
SEAN.MCDONNELL@phelanhallinan.com

SEAN MCDONNELL  
Legal Assistant

July 13, 2015

Office of the Sheriff  
COLUMBIA County Courthouse  
PO Box 380  
W. Main Street  
Bloomsburg, PA 17815

Re: TIMOTHY J. NEWHART  
926 LASALLE STREET  
BERWICK, PA 18603-1815  
2015-CV-161

Dear Sir or Madam:

Please assign the bid on the above captioned property, which was knocked down to the law firm of Phelan Hallinan Diamond & Jones, LLP as "attorney-on-the-writ," please prepare the Sheriff's Deed to **FIFTH THIRD MORTGAGE COMPANY**, 5001 KINGSLEY DRIVE, CINCINNATI, OH 45227.

Enclosed are two (2) transfer tax affidavits reflecting the assignment, and a stamped self-addressed envelope for your convenience.

Thank you in advance for your cooperation in this matter.

Very truly yours,

  
SEAN MCDONNELL  
For Phelan Hallinan Diamond & Jones, LLP

cc: FIFTH THIRD MORTGAGE COMPANY

PH # 955346

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

# REALTY TRANSFER TAX STATEMENT OF VALUE

**See Reverse for Instructions**

State Tax Paid

Book Number

Page Number

Date Recorded

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

**A. CORRESPONDENT** - All inquiries may be directed to the following person:

|   |   |
|---|---|
| Name<br><b>Phelan Hallinan Diamond &amp; Jones, LLP</b>                         | Telephone Number<br><b>215-563-7000</b> |
| Mailing Address<br><b>1617 JFK Boulevard, Suite 1400, One Penn Center Plaza</b> | City<br><b>Philadelphia</b>             |
|   | State<br><b>PA</b>                      |
|   | ZIP Code<br><b>19103</b>                |

## B. TRANSFER DATA

|  |  |   |   |   |
|--|--|---|---|---|
| Date of Acceptance of Document<br><b>7/22/15</b> | Grantor(s)/Lessor(s)<br><b>Timothy Chamberlain</b>   | Telephone Number<br><b>(570) 389-5622</b> | Grantee(s)/Lessee(s)<br><b>FIFTH THIRD MORTGAGE COMPANY</b> | Telephone Number<br><b>(513) 579-5203</b> |
|  | Mailing Address<br><b>PO Box 380, W. Main Street</b> |   | Mailing Address<br><b>5001 KINGSLEY DRIVE</b>               |   |
| City<br><b>Bloomsburg</b>                        | State<br><b>PA</b>                                   | ZIP Code<br><b>17815</b>                  | City<br><b>CINCINNATI</b>                                   | State<br><b>OH</b>                        |
|  |  |   |   | ZIP Code<br><b>45227</b>                  |

## C. REAL ESTATE LOCATION

|   |   |
|---|---|
| Street Address<br><b>926 LASALLE STREET, BERWICK, PA 18603-1815</b> | City, Township, Borough<br><b>BERWICK BOROUGH</b> |
| County<br><b>COLUMBIA</b>   | School District<br><b>BERWICK</b>                 |
|   | Tax Parcel Number<br><b>04C-01-317-00,000</b>     |

## D. VALUATION DATA

Was transaction part of an assignment or relocation? ☐ Y ☒ N

|   |  |   |
|---|--|---|
| 1. Actual Cash Consideration<br><b>\$ 50,000.00 (winning bid)</b> | 2. Other Consideration<br><b>+ -0-</b>       | 3. Total Consideration<br><b>= \$ 50,000.00</b> |
| 4. County Assessed Value<br><b>\$ 16,986.00</b>                   | 5. Common Level Ratio Factor<br><b>X 3.6</b> | 6. Computed Value<br><b>= \$61,149.60</b>       |

## E. EXEMPTION DATA - Refer to instructions for exemption status.

|   |  |  |
|---|--|--|
| 1a. Amount of Exemption Claimed<br><b>= \$61,149.60</b> | 1b. Percentage of Grantor's Interest in Real Estate<br><b>100%</b> | 1b. Percentage of Grantor's Interest in Real Estate<br><b>100%</b> |
|---|--|--|

## 2. Check Appropriate Box Below for Exemption Claimed.

☐ Will or intestate succession

☐ Transfer to a Trust. (Attach complete copy of trust agreement identifying all beneficiaries.)

☐ Transfer from a trust. Date of transfer into the trust \_\_\_\_\_

If trust was amended attach a copy of original and amended trust.

☐ Transfer between principal and agent/straw party. (Attach complete copy of agency/straw party agreement.)

☐ Transfer to the Commonwealth, the United States and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)

☒ Transfer from mortgagor to a holder of a mortgage in default. (Attach copy of mortgage and note/assignment)

☐ Corrective confirmatory deed. (Attach complete copy of the prior deed being corrected or confirmed)

☐ Statutory corporate consolidation, merge, or division (Attach copy of articles)

☐ \*Other (Please explain exemption claimed, if other than listed above.)

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

|  |                        |
|--|------------------------|
| Signature of Correspondent or Responsible Party<br><b>SEAN MCDONNELL</b> | Date<br><b>7/22/15</b> |
|--|------------------------|

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

ORIGINAL

IN THE COURT OF COMMON PLEAS  
COLUMBIA COUNTY, PENNSYLVANIA

FIFTH THIRD MORTGAGE COMPANY  
Plaintiff

vs.

TIMOTHY J. NEWHART

Defendant

Court of Common Pleas  
Civil Division  
COLUMBIA County  
No.: 2015-CV-161  
No.: 2015-ED-33

CLERK OF COURTS OFFICE  
COLUMBIA COUNTY, PA

2015 JUN 9 PM 3 28

FILED  
PROTHONOTARY

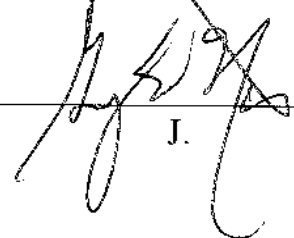
AND NOW, this 8 day of June, 2015 the Prothonotary is **ORDERED** to amend the in rem judgment and the Sheriff is **ORDERED** to amend the writ nunc pro tunc in this case as follows:

|                               |                    |
|-------------------------------|--------------------|
| Principal Balance             | \$76,271.66        |
| Interest Through May 18, 2015 | \$7,007.49         |
| Late Charges                  | \$250.46           |
| Legal fees                    | \$990.00           |
| Cost of Suit and Title        | \$927.63           |
| Escrow Deficit                | \$3,185.66         |
| <b>TOTAL</b>                  | <b>\$88,632.90</b> |

Plus interest at six percent per annum.

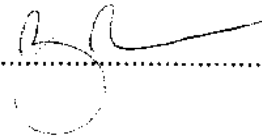
Note: The above figure is not a payoff quote. Sheriff's commission is not included in the above figure.

BY THE COURT

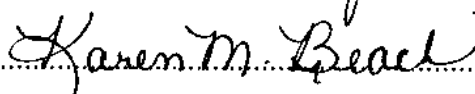
  
J.

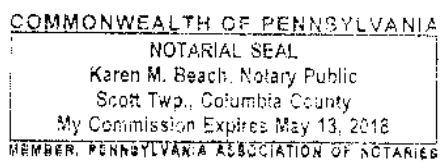
STATE OF PENNSYLVANIA  
COUNTY OF COLUMBIA                      } SS

Paula J. Ream being duly sworn according to law deposes and says that Press Enterprise is a newspaper of general circulation with its principal office and place of business at 3185 Lackawanna Avenue, Bloomsburg, County of Columbia and State of Pennsylvania, and was established on the 1st day of March, 1902, and has been published daily, continuously in said Town, County and State since that day and on the attached notice May 20, 27, and June 3, 2015 that the affiant is one of the officers or publisher or designated agent of the owner or publisher of said newspaper in which legal advertisement was published; that neither the affiant nor Press Enterprise is interested in the subject matter of said notice and advertisement and that all of the allegations in the foregoing statement as to time, place, and character of publication are true.

.....  


Sworn and subscribed to before me this 3<sup>rd</sup>.....day of June.....2015...

.....  
  
(Notary Public)



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.

.....

# SHERIFF'S SALE COST SHEET

VS. \_\_\_\_\_

NO. \_\_\_\_\_ ED NO. \_\_\_\_\_ JD DATE/TIME OF SALE \_\_\_\_\_

|                                 |                  |                  |
|---------------------------------|------------------|------------------|
| DOCKET/RETURN                   | \$15.00          |                  |
| SERVICE PER DEF.                | \$ <u>163.00</u> |                  |
| LEVY (PER PARCEL                | \$15.00          |                  |
| MAILING COSTS                   | \$ <u>42.00</u>  |                  |
| ADVERTISING SALE BILLS & COPIES | \$17.50          |                  |
| ADVERTISING SALE (NEWSPAPER)    | \$15.00          |                  |
| MILEAGE                         | \$ <u>24.00</u>  |                  |
| POSTING HANDBILL                | \$15.00          |                  |
| CRYING/ADJOURN SALE             | \$10.00          |                  |
| SHERIFF'S DEED                  | \$35.00          |                  |
| TRANSFER TAX FORM               | \$25.00          |                  |
| DISTRIBUTION FORM               | \$25.00          |                  |
| COPIES                          | \$ <u>5.50</u>   |                  |
| NOTARY                          | \$ <u>10.00</u>  |                  |
| TOTAL *****                     |                  | \$ <u>419.00</u> |

|                       |                  |                  |
|-----------------------|------------------|------------------|
| WEB POSTING           | \$150.00         |                  |
| PRESS ENTERPRISE INC. | \$ <u>104.19</u> |                  |
| SOLICITOR'S SERVICES  | \$75.00          |                  |
| TOTAL *****           |                  | \$ <u>129.19</u> |

|                       |                 |                 |
|-----------------------|-----------------|-----------------|
| PROTHONOTARY (NOTARY) | \$10.00         |                 |
| RECORDER OF DEEDS     | \$ <u>67.00</u> |                 |
| TOTAL *****           |                 | \$ <u>77.00</u> |

REAL ESTATE TAXES:

|                    |    |                |
|--------------------|----|----------------|
| BORO, TWP & COUNTY | 20 | \$ _____       |
| SCHOOL DIST.       | 20 | \$ _____       |
| DELINQUENT         | 20 | \$ <u>5.00</u> |
| TOTAL *****        |    | \$ <u>5.00</u> |

MUNICIPAL FEES DUE:

|             |    |                |
|-------------|----|----------------|
| SEWER       | 20 | \$ _____       |
| WATER       | 20 | \$ _____       |
| TOTAL ***** |    | \$ <u>0.00</u> |

|                      |                  |
|----------------------|------------------|
| SURCHARGE FEE (DSTE) | \$ <u>120.00</u> |
| MISC. _____          | \$ _____         |
| _____                | \$ _____         |
| TOTAL *****          | \$ <u>0.00</u>   |

TOTAL COSTS (OPENING BID) \$ 1850.19

Columbia County  
Columbia County Sheriff  
35 West Main Street  
PO Box 380  
Bloomsburg PA 17815



71901140006000049853

US SMALL BUSINESS ADMINISTRATION  
PHILADELPHIA DISTRICT OFFICE  
900 MARKET STREET 5TH FLOOR  
ROBERT N.C. NIX FEDERAL BUILDING  
PHILADELPHIA PA 19107

---

Fifth Third Mortgage Company

: COURT OF COMMON PLEAS  
:  
Plaintiff : CIVIL DIVISION

vs.

: NO.: 2015-CV-161

Timothy J. Newhart

: 2015-ED-33

Defendant(s) : COLUMBIA County

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

TO: Timothy J. Newhart  
926 Lasalle Street  
Berwick, PA 18603-1815

**\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.\*\***

Your house (real estate) at **926 Lasalle Street, Berwick, PA 18603-1815** is scheduled to be sold at the Sheriff's Sale on June 10<sup>th</sup> 2015 at 9:00 am in the Office of The Sheriff, **Columbia County Courthouse, 35 West Main Street, Bloomsburg, PA 17815** to enforce the court judgment of **\$84,819.98** obtained by **Fifth Third Mortgage Company** (the mortgagee) against you. In the event the sale is continued, an announcement will be made at said sale in compliance with Pa.R.C.P. Rule 3129.3.

**NOTICE OF OWNER'S RIGHTS**

**YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE**

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

1. The sale will be canceled if you pay to the mortgagee the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call: **215-563-7000 x1230.**

2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.

You may also be able to stop the sale through other legal proceedings.

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



COUNTY OF COLUMBIA  
TAX CLAIM BUREAU  
PO BOX 380  
BLOOMSBURG PA 17815

REAL ESTATE TAX CERTIFICATION

Date: 04/14/2015

Fee: \$5.00

Cert. NO: 20672

NEWHART TIMOTHY J  
926 LASALLE STREET  
BERWICK PA 18603

District: BERWICK BORO  
Deed: 20091 -1524  
Location: 926 LASALLE ST  
Parcel Id: 04C-01 -317-00,000

Assessment: 16,986

Balances as of 04/14/2015

| YEAR | TAX TYPE | TAX AMOUNT | PENALTY | DISCOUNT | PAID | BALANCE |
|------|----------|------------|---------|----------|------|---------|
|------|----------|------------|---------|----------|------|---------|

NO TAX CLAIM TAXES DUE

By: COLUMBIA COUNTY SHERIFF Per: \_\_\_\_\_  
SRE

Fifth Third Mortgage Company

vs.

Timothy J. Newhart

Sheriff  
046-01-317-00  
: COURT OF COMMON PLEAS  
:  
Plaintiff : CIVIL DIVISION *W*  
:  
: NO.: 2015-CV-161 *DELA*  
:  
: 2015-ED-33  
Defendant(s) : COLUMBIA County  
:

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

TO: Timothy J. Newhart  
926 Lasalle Street  
Berwick, PA 18603-1815

**\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.\*\***

Your house (real estate) at **926 Lasalle Street, Berwick, PA 18603-1815** is scheduled to be sold at the Sheriff's Sale on June 10<sup>th</sup> 2015 at 9:00 am in the Office of The Sheriff, Columbia County Courthouse, 35 West Main Street, Bloomsburg, PA 17815 to enforce the court judgment of \$84,819.98 obtained by **Fifth Third Mortgage Company** (the mortgagee) against you. In the event the sale is continued, an announcement will be made at said sale in compliance with Pa.R.C.P. Rule 3129.3.

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1. The sale will be canceled if you pay to the mortgagee the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call: **215-563-7000 x1230.**
2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.

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# SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain  
Sheriff

Earl D. Mordan, Jr.  
Chief Deputy



FIFTH THIRD MORTGAGE COMPANY  
vs.  
TIMOTHY J NEWHART

Case Number  
2015CV161

## SERVICE COVER SHEET

### Service Details:

Category: Real Estate Sale - Sale Notice

Manner: < Not Specified >

Expires:

Zone: 23

Warrant:

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

### Serve To:

Name: TIMOTHY J NEWHART

Primary Address: 926 LASALLE STREET  
BERWICK, PA 18603

Phone: 1-570-441-6814 DOB: 10/16/1984

Alternate Address:

Phone:

### Final Service:

Served: Personally Adult In Charge Posted Other

Adult In Charge: SKylee Warner

Relation: Nephew

Date: 4-7-15 Time: 15158

Deputy: 3 Mileage:

### Attorney / Originator:

Name: PHELAN & HALLINAN LLP

Phone: 215-563-7000

### Service Attempts:

|          |        |  |  |  |  |  |
|----------|--------|--|--|--|--|--|
| Date:    | 4-6-15 |  |  |  |  |  |
| Time:    | 09:25  |  |  |  |  |  |
| Mileage: |        |  |  |  |  |  |
| Deputy:  | 3      |  |  |  |  |  |

### Service Attempt Notes:

1. 41C
- 2.
- 3.
- 4.
- 5.
- 6.

NEWHART, TIMOTHY J

2015CV161

926 LASALLE STREET, BERWICK, PA 18603

NO EXPIRATION

Phelan Hallinan Diamond & Jones, LLP  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
215-563-7000  
Fax 215-568-7616

Jessica Gliwa  
Legal Assistant

Representing Lenders in  
Pennsylvania

Office of the Prothonotary  
Columbia County Courthouse  
35 W. Main St.  
Bloomsburg, PA 17815

No.: 2015-CV-161  
No.: 2015-ED-33

**Re: FIFTH THIRD MORTGAGE COMPANY VS. TIMOTHY J. NEWHART**  
**No.: 2015-CV-161, No.: 2015-ED-33**

**AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129.2**

Dear Sir/Madam:

Enclosed please find an Affidavit of Service Pursuant to Rule 3129.2 with the necessary attachments regarding the above matter.

Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me.

**\*\*\*Please be advised that in the event the Plaintiff is not represented at the sale the sale is to be stayed or postponed.\*\*\***

**\*\*Property is listed for the 06/10/2015 Sheriff Sale.\*\***

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

Very truly yours,

**Phelan Hallinan Diamond & Jones, LLP**

By:

Jessica Gliwa, Legal Assistant

cc: Sheriff of COLUMBIA County

PHELAN HALLINAN DIAMOND & JONES, LLP  
Paul Cressman, Esq., Id. No.318079  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
paul.cressman@phelanhallinan.com  
215-563-7000

Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY, PENNSYLVANIA

FIFTH THIRD MORTGAGE COMPANY  
Plaintiff,

v.

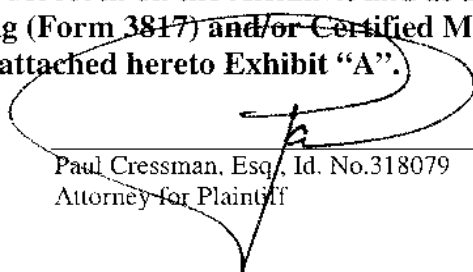
TIMOTHY J. NEWHART  
Defendant(s)

: COLUMBIA COUNTY  
:  
: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: No.: 2015-CV-161  
: No.: 2015-ED-33

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129.2

COMMONWEALTH OF PENNSYLVANIA     )  
PHILADELPHIA COUNTY                     )     SS:

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given to Lienholders and any known interested party in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address, set forth on the Affidavit and as amended if applicable. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached hereto Exhibit "A".

  
Paul Cressman, Esq., Id. No.318079  
Attorney for Plaintiff

Date: 5/18/15

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

Name and  
Address  
Of Sender



Phelan Hallinan Diamond & Jones, LLP  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103

AZK/JKM - 06/10/2015 SALE

Name of Addressee, Street, and Post Office Address

| Line | Article Number | Name of Addressee, Street, and Post Office Address  | Postage |
|------|----------------|---|---------|
| 1    | ****           | TENANT/OCCUPANT<br>926 LASALLE STREET<br>BERWICK, PA 18603-1815<br>Commonwealth of Pennsylvania Bureau of Individual Taxes Inheritance Tax Division<br>6th Floor, Strawberry Sq.<br>Dept 280601<br>Harrisburg, PA 17128 | \$0.47  |
| 2    | ****           | Department of Public Welfare, TPL Casualty Unit, Estate Recovery Program<br>P.O. Box 8486<br>Willow Oak Building<br>Harrisburg, PA 17105  | \$0.47  |
| 3    | ****           | Discover Bank<br>12 Reads Way<br>New Castle, DE 19720   | \$0.47  |
| 4    | ****           | Discover Bank C/O William Molezan, Esquire<br>1400 KOPPERS BUILDING<br>436 SEVENTH AVENUE<br>PITTSBURGH, PA 15219   | \$0.47  |
| 5    | ****           | Domestic Relations of<br>Columbia County<br>COLUMBIA COUNTY COURTHOUSE<br>P.O. BOX 380<br>BLOOMSBURG, PA 17815  | \$0.47  |
| 6    | ****           | Commonwealth of Pennsylvania<br>Department of Welfare<br>P.O. Box 2675<br>Harrisburg, PA 17105  | \$0.47  |
| 7    | ****           | Internal Revenue Service Advisory<br>1000 Liberty Avenue Room 704<br>Pittsburgh, PA 15222   | \$0.47  |
| 8    | ****           | U.S. Department of Justice<br>U.S. Attorney for The Middle District of PA<br>Federal Building<br>228 Walnut Street, Suite 220<br>PO Box 11754<br>Harrisburg, PA 17108-1754  | \$0.47  |
| 9    | ****           | RE: TIMOTHY J. NEWHART (COLUMBIA)<br>Postmaster, Per (Name of<br>Receiving Employee)<br>Total Number of Pieces<br>Received at Post Office   | \$4.23  |

Page 1 of 1  
PH # 955346/1021  
The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R960 S913 and S921 for limitations of coverage.

Form 3877 Facsimile

# SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain  
Sheriff



Earl D. Mordan, Jr.  
Chief Deputy

FIFTH THIRD MORTGAGE COMPANY  
vs.  
TIMOTHY J NEWHART

Case Number  
2015CV161

## SERVICE COVER SHEET

### Service Details:

Category: Real Estate Sale - Posting - Sale Bill

Zone:

Manner: < Not Specified >

Expires:

Warrant:

Notes: SHERIFF'S SALE BILL

### Serve To:

Name: (POSTING)

Primary Address: 926 LASALLE STREET  
BERWICK, PA 18603

Phone: DOB:

Alternate Address:

Phone:

### Final Service:

Served: Personally · Adult In Charge · Posted · Other

Adult In Charge:

Relation:

Date: 5-5-15

Time: 09:15

Deputy: 3

Mileage:

### Attorney / Originator:

Name: PHELAN & HALLINAN LLP

Phone: 215-563-7000

### Service Attempts:

|          |  |  |  |  |  |
|----------|--|--|--|--|--|
| Date:    |  |  |  |  |  |
| Time:    |  |  |  |  |  |
| Mileage: |  |  |  |  |  |
| Deputy:  |  |  |  |  |  |

### Service Attempt Notes:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

(POSTING)

2015CV161

926 LASALLE STREET, BERWICK, PA 18603

NO EXPIRATION

# SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain  
Sheriff

Earl D. Mordan, Jr.  
Chief Deputy



FIFTH THIRD MORTGAGE COMPANY

vs.

TIMOTHY J NEWHART

Case Number

2015CV161

## SHERIFF'S RETURN OF SERVICE

05/05/2015 09:15 AM - DEPUTY SCOTT MAYERNICK, 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 926 LASALLE STREET, BERWICK, PA 18603.

  
SCOTT MAYERNICK, DEPUTY

SO ANSWERS,

  
TIMOTHY T. CHAMBERLAIN, SHERIFF

May 05, 2015

Affirmed and subscribed to before me this

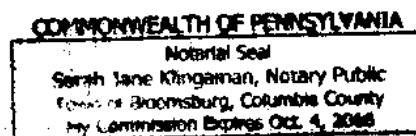
5TH

day of

MAY

2015

NOTARY





PHELAN & HALLINAN LLP, ONE PENN CENTER AT SUBURAN STATION, SUITE 1400 1617 JFK BLVD, PHILADELPHIA

(For County/Suits Sheriff, To be filled in)



# SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain  
Sheriff



Earl D. Mordan, Jr.  
Chief Deputy

FIFTH THIRD MORTGAGE COMPANY  
vs.  
TIMOTHY J NEWHART

Case Number  
2015CV161

## SERVICE COVER SHEET

### Service Details:

Category: Real Estate Sale - Sale Notice

Zone: 33

Manner: < Not Specified >

Expires:

Warrant:

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

### Serve To:

Name: OCCUPANT

Primary Address: 926 LASALLE STREET  
BERWICK, PA 18603

Phone: 1-570-441-6814

DOB:

Alternate Address:

Phone:

### Final Service:

Served: Personally Adult In Charge Posted Other

Adult In Charge:

Skylar Warner

Relation:

Nephew

Date:

4-7-15

Time:

15:58

Deputy:

3

Mileage:

### Attorney / Originator:

Name: PHELAN & HALLINAN LLP

Phone: 215-563-7000

### Service Attempts:

Date:

Time:

Mileage:

Deputy:

### Service Attempt Notes:

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

OCCUPANT

2015CV161

926 LASALLE STREET, BERWICK, PA 18603

NO EXPIRATION

# SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain  
Sheriff



Earl D. Mordan, Jr.  
Chief Deputy

FIFTH THIRD MORTGAGE COMPANY  
vs.  
TIMOTHY J NEWHART

Case Number  
2015CV161

## SERVICE COVER SHEET

### Service Details:

Category: Real Estate Sale - Sale Notice

Zone: 33

Manner: < Not Specified >

Expires:

Warrant:

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

### Serve To:

Name: Connie C. Gingher

Primary Address: 1615 Lincoln Avenue  
Berwick, PA 18603

Phone: 570-752-7442

DOB:

Alternate Address:

Phone:

### Final Service:

Served: Personally · Adult In Charge · Posted · Other

Adult In Charge:

Relation:

Date:

Deputy:

Time:

Mileage:

### Attorney / Originator:

Name: PHELAN & HALLINAN LLP

Phone: 215-563-7000

### Service Attempts:

Date:

Time:

Mileage:

Deputy:

### Service Attempt Notes:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

GINGHER, CONNIE C.

2015CV161

1615 LINCOLN AVENUE, BERWICK, PA 18603

NO EXPIRATION

# PRESS ENTERPRISE

3185 Lackawanna Ave  
Bloomsburg, PA 17815

Classifieds: (570) 784-6151  
Toll Free: 888-231-9767 ext 1299  
Fax: (570) 784-6152

Proof of Ad 04/06/15

Account:

Name:

Company: **TIM CHAMBERLAIN - COLUM COUNTY SHERIFF**

Address: **PO BOX 380  
BLOOMSBURG, PA 17815**

Ad ID: 1030530  
Description: **Timothy Newhart Sale**  
Run Dates: **05/20/15 to 06/03/15**  
Class: **2**  
Agate Lines: **183**  
Blind Box:

**Total Ad Cost \$1,004.19**  
**Amount Paid \$0.00**

| Publication      | Start    | Stop     | Inserts | Cost       |
|------------------|----------|----------|---------|------------|
| Press Enterprise | 05/20/15 | 06/03/15 | 3       | \$1,004.19 |

## SHERIFF'S SALE

By Virtue of a Writ of Execution (Mortgage Foreclosure)  
No. 2015CV161

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, JUNE 10, 2015  
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 lot, piece or parcel of land situate in the Borough of Berwick, Columbia County, Pennsylvania, east of LaSalle Street, being Lot Number Seven (7) Section Twenty-three (23) of the Berwick Land and Improvement Company Addition of Berwick, being bounded on the North by Lot No. Eight (8) Section Twenty-three (23), One Hundred Forty (140) feet; on the East by an alley, forty (40) feet; on the South by Lot No. Six (6) Section Twenty-three (23), One Hundred Forty (140) feet; on the West by LaSalle Street, Forty (40) feet, to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Timothy J. Newhart, by Deed from Connie E. Dandini, widow, dated 11/23/2009, recorded 12/04/2009 in Instrument Number 200911524.

Tax Parcel: 04C-01-317-00.000

Premises Being: 926 LaSalle Street, Berwick, PA 18603-1815

**PROPERTY ADDRESS: 926 LASALLE STREET, BERWICK, PA 18603**

UPI / TAX PARCEL NUMBER: 04C-01-317-00.000

Seized and taken into execution to be sold as the property of TIMOTHY J NEWHART in suit of FIFTH THIRD MORTGAGE COMPANY.

**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.

**TIMOTHY T. CHAMBERLAIN, Sheriff  
COLUMBIA COUNTY, Pennsylvania**

Attorney for the Plaintiff:  
PHELAN & HALLINAN LLP  
PHILADELPHIA, PA 215-563-7000

# SHERIFF'S SALE

By Virtue of a Writ of Execution (Mortgage Foreclosure)  
No. 2015CV161

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, JUNE 10, 2015**  
**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 lot, piece or parcel of land situate in the Borough of Berwick, Columbia County, Pennsylvania, east of LaSalle Street, being Lot Number Seven (7) Section Twenty-three (23) of the Berwick Land and Improvement Company Addition of Berwick, being bounded on the North by Lot No. Eight (8) Section Twenty-three (23), One Hundred Forty (140) feet; on the East by an alley, forty (40) feet; on the South by Lot No. Six (6) Section Twenty-three (23), One Hundred Forty (140) feet; on the West by LaSalle Street, Forty (40) feet, to the place of beginning. TITLE TO SAID PREMISES IS VESTED IN Timothy J. Newhart, by Deed from Connie E. Dandini, widow, dated 11/23/2009, recorded 12/04/2009 in Instrument Number 200911524.

Tax Parcel: 04C-01-317-00,000

Premises Being: 926 Lasalle Street, Berwick, PA 18603-1815

PROPERTY ADDRESS: 926 LASALLE STREET, BERWICK, PA 18603

UPI / TAX PARCEL NUMBER: 04C-01-317-00,000

Seized and taken into execution to be sold as the property of TIMOTHY J NEWHART in suit of FIFTH THIRD MORTGAGE COMPANY.

---

**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:  
PHELAN & HALLINAN LLP  
PHILADELPHIA, PA 215-563-7000

**TIMOTHY T. CHAMBERLAIN, Sheriff**  
COLUMBIA COUNTY, Pennsylvania

**WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)**

**Pa.R.C.P. 3180-3183 and Rule 3257**

Fifth Third Mortgage Company

vs.

Timothy J. Newhart

COURT OF COMMON PLEAS

CIVIL DIVISION

NO.: 2015-CV-161

2015-ED-33

COLUMBIA COUNTY

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 property (specifically described property below):**

PREMISES: 926 Lasalle Street, Berwick, PA 18603-1815  
(See Legal Description attached)

Amount Due  
Interest from 04/01/2015 to Date of Sale  
@ \$13.94 per diem

\$84,819.98  
\$ \_\_\_\_\_ and costs.

Dated 3-31-15  
(SEAL)

PII # 955346

Barbara N. Salvesth | KPB |  
(Clerk) Office of the Prothy Support, Common Pleas Court  
of Columbia County, Penna.

Proth & Clerk of Sev. Courts  
My Com. Ex. 1st Monday in 2016

# SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain  
Sheriff



Earl D. Mordan, Jr.  
Chief Deputy

FIFTH THIRD MORTGAGE COMPANY  
vs.  
TIMOTHY J NEWHART

Case Number  
2015CV161

## SERVICE COVER SHEET

### Service Details:

Category: Real Estate Sale - Sale Notice

Manner: < Not Specified >

Expires:

Zone: 33

Warrant:

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

### Serve To:

Name: Domestic Relations Office of Columbia Co.

Primary Address: 11 WEST MAIN STREET  
2ND FLOOR  
Bloomsburg, PA 17815

Phone: DOB:

Alternate Address:

Phone:

### Final Service:

Served: Personally - Adult In Charge - Posted - Other

Adult In Charge: CAROL Frakey

Relation: Clerk

Date: 4-2-15 Time: 4:10

Deputy: 4 Mileage:

### Attorney / Originator:

Name: PHELAN & HALLINAN LLP

Phone: 215-563-7000

### Service Attempts:

|          |  |  |  |  |  |  |
|----------|--|--|--|--|--|--|
| Date:    |  |  |  |  |  |  |
| Time:    |  |  |  |  |  |  |
| Mileage: |  |  |  |  |  |  |
| Deputy:  |  |  |  |  |  |  |

### Service Attempt Notes:

- 
- 
- 
- 
- 
- 

DOMESTIC RELATIONS OF

2015CV161

11 WEST MAIN STREET, 2ND FLOOR, BLOOMSBURG, P NO EXPIRATION

# SHERIFF'S OFFICE OF COLUMBIA COUNTY

Timothy T. Chamberlain  
Sheriff



Earl D. Mordan, Jr.  
Chief Deputy

FIFTH THIRD MORTGAGE COMPANY  
vs.  
TIMOTHY J NEWHART

Case Number  
2015CV161

## SERVICE COVER SHEET

### Service Details:

Category: Real Estate Sale - Sale Notice

Zone: 33

Manner: < Not Specified >

Expires:

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 Adult In Charge · Posted · Other

Adult In Charge:

Denise Siegel

Relation:

Tax Clerk

Date:

4-2-15

Time:

4:05

Deputy:

4

Mileage:

### Attorney / Originator:

Name: PHELAN & HALLINAN LLP

Phone: 215-563-7000

### Service Attempts:

Date:

Time:

Mileage:

Deputy:

### Service Attempt Notes:

1.

2.

3.

4.

5.

6.

COLUMBIA COUNTY TAX C

2015CV161

PO BOX 380, BLOOMSBURG, PA 17815

NO EXPIRATION

**Fifth Third Mortgage Company**  
Plaintiff

v.

**Timothy J. Newhart**  
Defendant(s)

: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO.: 2015-CV-161**  
:  
: **2015-ED-33**  
: **COLUMBIA COUNTY**

**AFFIDAVIT PURSUANT TO RULE 3129.1**

**Fifth Third Mortgage Company**, Plaintiff in the above action, by the undersigned attorney, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **926 Lasalle Street, Berwick, PA 18603-1815**.

1. Name and address of Owner(s) or reputed Owner(s):  
Name: **Timothy J. Newhart**  
Address (if address cannot be reasonably ascertained, please so indicate): **926 Lasalle Street  
Berwick, PA 18603-1815**
2. Name and address of Defendant(s) in the judgment:  
Name: **Timothy J. Newhart**  
Address (if address cannot be reasonably ascertained, please so indicate): **926 Lasalle Street  
Berwick, PA 18603-1815**
3. Name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:  
Name: **Discover Bank**  
Address (if address cannot be reasonably ascertained, please indicate): **12 Reads Way  
New Castle, DE 19720**  
  
**Discover Bank**  
**C/O William Molczan, Esquire**  
**1400 Koppers Building**  
**436 Seventh Avenue**  
**Pittsburgh, PA 15219**
4. Name and address of last recorded holder of every mortgage of record:  
Name: **None.**  
Address (if address cannot be reasonably ascertained, please indicate):
5. Name and address of every other person who has any record lien on the property:  
Name: **None.**  
Address (if address cannot be reasonably ascertained, please indicate):
6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the sale.  
Name: **None.**  
Address (if address cannot be reasonably ascertained, please indicate):



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 (if address cannot be reasonably ascertained, please indicate)

**Tenant/Occupant**

**926 Lasalle Street  
Berwick, PA 18603-1815**

**Commonwealth of Pennsylvania Bureau of  
Individual Taxes Inheritance Tax Division**

**6th Floor, Strawberry Sq.  
Dept 280601  
Harrisburg, PA 17128**

**Department of Public Welfare, TPL Casualty  
Unit, Estate Recovery Program**

**P.O. Box 8486  
Willow Oak Building  
Harrisburg, PA 17105**

**Domestic Relations of  
Columbia County**

**Columbia County Courthouse  
P.O. Box 380  
Bloomsburg, PA 17815**

**Commonwealth of Pennsylvania  
Department of Welfare**

**P.O. Box 2675  
Harrisburg, PA 17105**

**Internal Revenue Service Advisory**

**1000 Liberty Avenue Room 704  
Pittsburgh, PA 15222**

**U.S. Department of Justice  
U.S. Attorney for The Middle District of PA  
Federal Building**

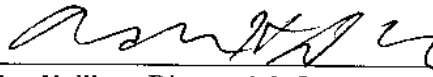
**228 Walnut Street, Suite 220  
PO Box 11754  
Harrisburg, PA 17108-1754**

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.A. § 4904 relating to unsworn falsification to authorities.

Date:

3/30/15

By:



**Phelan Hallinan Diamond & Jones, LLP**

Adam H. Davis, Esq., Id. No. 203034

Attorney for Plaintiff

**PHELAN HALLINAN DIAMOND & JONES, LLP**

1617 JFK Boulevard, Suite 1400

One Penn Center Plaza, Philadelphia, PA 19103

215-563-7000

# REAL ESTATE OUTLINE

ED # 2015 ED 33

DATE RECEIVED 3-31-2015  
DOCKET AND INDEX 2015 CY 161

## CHECK FOR PROPER INFO.

|                         |          |                      |
|-------------------------|----------|----------------------|
| WRIT OF EXECUTION       | <u>X</u> |                      |
| COPY OF DESCRIPTION     | <u>X</u> |                      |
| WHEREABOUTS OF LKA      | <u>X</u> |                      |
| NON-MILITARY AFFIDAVIT  | <u>X</u> |                      |
| NOTICES OF SHERIFF SALE | <u>X</u> |                      |
| WAIVER OF WATCHMAN      | <u>X</u> |                      |
| AFFIDAVIT OF LIENS LIST | <u>X</u> |                      |
| CHECK FOR \$1,350.00 OR | <u>X</u> | CK# <u>601506950</u> |

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

SALE DATE June 10<sup>th</sup> TIME 9:00  
POSTING DATE \_\_\_\_\_  
ADV. DATES FOR NEWSPAPER 1<sup>ST</sup> WEEK \_\_\_\_\_  
2<sup>ND</sup> WEEK \_\_\_\_\_  
3<sup>RD</sup> WEEK \_\_\_\_\_

Fifth Third Mortgage Company

: COURT OF COMMON PLEAS  
:  
Plaintiff : CIVIL DIVISION

vs.

: NO.: 2015-CV-161

Timothy J. Newhart

: 2015-ED-33  
Defendant(s) : COLUMBIA County  
:

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

TO: Timothy J. Newhart  
926 Lasalle Street  
Berwick, PA 18603-1815

**\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.\*\***

Your house (real estate) at **926 Lasalle Street, Berwick, PA 18603-1815** is scheduled to be sold at the Sheriff's Sale on June 10<sup>th</sup> 2015 at 9:00 am in the Office of The Sheriff, **Columbia County Courthouse, 35 West Main Street, Bloomsburg, PA 17815** to enforce the court judgment of **\$84,819.98** obtained by **Fifth Third Mortgage Company** (the mortgagee) against you. In the event the sale is continued, an announcement will be made at said sale in compliance with Pa.R.C.P. Rule 3129.3.

**NOTICE OF OWNER'S RIGHTS**

**YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE**

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

1. The sale will be canceled if you pay to the mortgagee the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call: **215-563-7000 x1230.**

2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.

You may also be able to stop the sale through other legal proceedings.

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

Fifth Third Mortgage Company

: COURT OF COMMON PLEAS  
:  
Plaintiff : CIVIL DIVISION

vs.

: NO.: 2015-CV-161

Timothy J. Newhart

: 2015-ED-33

Defendant(s) : COLUMBIA County

:

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

TO: Timothy J. Newhart  
926 Lasalle Street  
Berwick, PA 18603-1815

**\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.\*\***

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**NOTICE OF OWNER'S RIGHTS**

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

1. The sale will be canceled if you pay to the mortgagee the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call: **215-563-7000 x1230.**

2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.

You may also be able to stop the sale through other legal proceedings.

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

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

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling 215-563-7000.
2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.
3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened, you may call 215-563-7000.
4. If the amount due from the Buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.
5. You have the right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You may be entitled to a share of the money which was paid for your house. A proposed schedule of distribution of the money bid for your house will be prepared by the Sheriff not later than thirty (30) days after the sale. The schedule shall be kept on file with the sheriff and will be made available for inspection in his office. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the filing of the proposed schedule.
7. You may also have other rights and defenses, or ways of getting your home back, if you act immediately after the sale.

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

**North Penn Legal Services  
168 East 5th Street  
Bloomsburg, PA 17815**

**Telephone (570) 784-8760**

### **LEGAL DESCRIPTION**

All that certain lot, piece or parcel of land situate in the Borough of Berwick, Columbia County, Pennsylvania, east of LaSalle Street, being Lot Number Seven (7) Section Twenty-three (23) of the Berwick Land and Improvement Company Addition of Berwick, being bounded on the North by Lot No. Eight (8) Section Twenty-three (23), One Hundred Forty (140) feet; on the East by an alley, forty (40) feet; on the South by Lot No. Six (6) Section Twenty-three (23), One Hundred Forty (140) feet; on the West by LaSalle Street, Forty (40) feet, to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Timothy J. Newhart, by Deed from Connie E. Dandini, widow, dated 11/23/2009, recorded 12/04/2009 in Instrument Number 200911524.

Tax Parcel: 04C-01-317-00,000

Premises Being: 926 Lasalle Street, Berwick, PA 18603-1815

**SHORT DESCRIPTION**

By virtue of a Writ of Execution No. **2015-CV-161**

**Fifth Third Mortgage Company**

v.

**Timothy J. Newhart**

owner(s) of property situate in **BERWICK BOROUGH**, COLUMBIA County, Pennsylvania,  
being

**926 Lasalle Street, Berwick, PA 18603-1815**

**Parcel No. 04C-01-317-00,000**

(Acreage or street address)

Improvements thereon: **RESIDENTIAL DWELLING**

Judgment Amount: **\$84,819.98**

**Attorneys for Plaintiff**

Phelan Hallinan Diamond & Jones, LLP

|                                     |   |                                |
|-------------------------------------|---|--------------------------------|
| <b>Fifth Third Mortgage Company</b> | : | <b>COURT OF COMMON PLEAS</b>   |
| Plaintiff                           | : |                                |
|                                     | : | <b>CIVIL DIVISION</b>          |
| <b>v.</b>                           | : |                                |
|                                     | : | <b>NO.: <u>2015-CV-161</u></b> |
| <b>Timothy J. Newhart</b>           | : | <b>2015-ED-33</b>              |
| Defendant(s)                        | : | <b>COLUMBIA COUNTY</b>         |

**AFFIDAVIT PURSUANT TO RULE 3129.1**

**Fifth Third Mortgage Company**, Plaintiff in the above action, by the undersigned attorney, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **926 Lasalle Street, Berwick, PA 18603-1815**.

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

|                           |   |
|---------------------------|---|
| Name                      | Address (if address cannot be reasonably ascertained, please so indicate) |
| <b>Timothy J. Newhart</b> | <b>926 Lasalle Street<br/>Berwick, PA 18603-1815</b>                      |
  
2. Name and address of Defendant(s) in the judgment:  

|                           |   |
|---------------------------|---|
| Name                      | Address (if address cannot be reasonably ascertained, please so indicate) |
| <b>Timothy J. Newhart</b> | <b>926 Lasalle Street<br/>Berwick, PA 18603-1815</b>                      |
  
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 (if address cannot be reasonably ascertained, please indicate)       |
| <b>Discover Bank</b>                                  | <b>12 Reads Way<br/>New Castle, DE 19720</b>                                 |
| <b>Discover Bank<br/>C/O William Molczan, Esquire</b> | <b>1400 Koppers Building<br/>436 Seventh Avenue<br/>Pittsburgh, PA 15219</b> |
  
4. Name and address of last recorded holder of every mortgage of record:  

|              |  |
|--------------|--|
| Name         | Address (if address cannot be reasonably ascertained, please indicate) |
| <b>None.</b> |  |
  
5. Name and address of every other person who has any record lien on the property:  

|              |  |
|--------------|--|
| Name         | Address (if address cannot be reasonably ascertained, please indicate) |
| <b>None.</b> |  |
  
6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the sale.  

|              |  |
|--------------|--|
| Name         | Address (if address cannot be reasonably ascertained, please indicate) |
| <b>None.</b> |  |



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 (if address cannot be reasonably ascertained, please indicate)

**Tenant/Occupant**

**926 Lasalle Street  
Berwick, PA 18603-1815**

**Commonwealth of Pennsylvania Bureau of  
Individual Taxes Inheritance Tax Division**

**6th Floor, Strawberry Sq.  
Dept 280601  
Harrisburg, PA 17128**

**Department of Public Welfare, TPL Casualty  
Unit, Estate Recovery Program**

**P.O. Box 8486  
Willow Oak Building  
Harrisburg, PA 17105**

**Domestic Relations of  
Columbia County**

**Columbia County Courthouse  
P.O. Box 380  
Bloomsburg, PA 17815**

**Commonwealth of Pennsylvania  
Department of Welfare**

**P.O. Box 2675  
Harrisburg, PA 17105**

**Internal Revenue Service Advisory**

**1000 Liberty Avenue Room 704  
Pittsburgh, PA 15222**

**U.S. Department of Justice  
U.S. Attorney for The Middle District of PA  
Federal Building**

**228 Walnut Street, Suite 220  
PO Box 11754  
Harrisburg, PA 17108-1754**

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.A. § 4904 relating to unsworn falsification to authorities.

Date:

3/30/15

By:



**Phelan Hallinan Diamond & Jones, LLP**

Adam H. Davis, Esq., Id. No.203034

Attorney for Plaintiff

**PHELAN HALLINAN DIAMOND & JONES, LLP**

1617 JFK Boulevard, Suite 1400

One Penn Center Plaza, Philadelphia, PA 19103

215-563-7000

**Phelan Hallinan Diamond & Jones, LLP**

1617 JFK Boulevard, Suite 1400

One Penn Center Plaza

Philadelphia, PA 19103

Phone: 215-563-7000

Fax: 215-568-7616

Brad Davis

Ext. 1265

Representing Lenders in

Pennsylvania

March 23, 2015

Office of the Prothonotary  
Columbia County Courthouse  
35 W. Main St.  
Bloomsburg, PA 17815

**Re: FIFTH THIRD MORTGAGE COMPANY**

**v.**

**TIMOTHY J. NEWHART**

**No. 2015-CV-161**

**Action in Mortgage Foreclosure**

**Premises: 926 LASALLE STREET, BERWICK, PA 18603-1815**

FILED  
PROTHONOTARY  
2015 MAR 31 PM 11 47  
CLERK OF COURT  
COLUMBIA COUNTY  
BERWICK, PA 17815

Dear Sir/Madam:

I would appreciate you entering a Default Judgment relative to the above matter, issuing a Writ of Execution on the captioned property and transmitting the appropriate documents to the Sheriff so that it can be placed on the Sheriff's sale list for \_\_\_\_\_.

All of the necessary documents are enclosed, together with my checks to your order in the amounts of \$25.00 and \$25.00, and the check to the order of the Sheriff in the amount of \$1,350.00 in payment of fees and costs. In addition, please mail time-stamped copies of the Default Judgment to the defendant in the pre-addressed stamped envelopes included.

Kindly, send me your receipt and stamped copies of the Praecept for Default Judgment, Non-Military Affidavit, Praecept for the Writ of Execution, the Writ of Execution, and the Affidavit Pursuant to Rule 3129.1 in the stamped self-addressed envelope, which I have enclosed.

If there are any questions concerning the above matter please contact me immediately.

Yours truly,

JKM/Brad Davis for  
Phelan Hallinan Diamond & Jones, LLP

# SHERIFF'S DEPARTMENT

## SHERIFF SERVICE PROCESS RECEIPT and AFFIDAVIT OF RETURN

INSTRUCTIONS: Please type or print legibly, insuring readability of all copies. Do not detach any copies.

Expiration date

Plaintiff

Fifth Third Mortgage Company

No.: 2015-CV-161

2015-ED-33

Defendant

Timothy J. Newhart

Type or Writ of Complaint

EXECUTION/NOTICE OF SALE

**SERVE**

**AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SALE.

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

926 Lasalle Street

Berwick, PA 18603-1815

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE.

**PLEASE POST THE PREMISES WITH THE SHERIFF'S HANDBILL OF SALE.**

NOW, \_\_\_\_\_, 20\_\_\_\_, I, Sheriff of COLUMBIA County, PA do hereby deputize the Sheriff of \_\_\_\_\_ County, to execute the within and make return thereof according to law.

Sheriff of COLUMBIA County, Penna.

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

Signature of Attorney or other Originator requesting service on behalf of ☒ Plaintiff

Defendant

ADDRESS: One Penn Center at Suburban Station, 1617 John F. Kennedy Boulevard, Suite 1400  
Philadelphia, PA 19103-1814

Telephone Number

(215)563-7000

Date

3/30/15

**SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE**

PLAINTIFF

Court Number

RETURNED:

AFFIRMED and subscribed to before me this \_\_\_\_\_ day

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

SO ANSWERS

Signature of Dep. Sheriff

Date

Signature of Sheriff

Date

Sheriff of

# SHERIFF'S RETURN

Fifth Third Mortgage Company

Plaintiff

vs.

Timothy J. Newhart

Defendants

IN THE COURT OF COMMON PLEAS  
OF COLUMBIA COUNTY

No.: 2015-CV-161

2015-ED-33

ISSUED

NOW, \_\_\_\_\_ 20\_\_ I, \_\_\_\_\_ High Sheriff of Columbia County, Pennsylvania, do  
hereby deputize the Sheriff of \_\_\_\_\_ County, Pennsylvania, to execute this Writ. This deputation being  
made at the request and risk of the Plaintiff.

Defendants alleged address is \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Sheriff, Columbia County, Pennsylvania

By \_\_\_\_\_  
Deputy Sheriff

## AFFIDAVIT OF SERVICE

Now, \_\_\_\_\_ 20\_\_, at \_\_\_\_\_ O'Clock \_\_\_\_\_ m., served the within  
upon \_\_\_\_\_ at \_\_\_\_\_  
\_\_\_\_\_ by handing to  
\_\_\_\_\_ a true and correct copy of the original Notice of  
Sale and made known to \_\_\_\_\_ the contents thereof.

Sworn and Subscribed before me

So Answers,

this \_\_\_\_\_

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

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

BY: \_\_\_\_\_  
Sheriff

\_\_\_\_\_  
\_\_\_\_\_  
20\_\_, Sec return endorsed hereon by Sheriff of  
County, Pennsylvania, and made a part of this  
return

So Answers,

\_\_\_\_\_  
Sheriff

\_\_\_\_\_  
Deputy Sheriff

# SHERIFF'S DEPARTMENT

## SHERIFF SERVICE PROCESS RECEIPT and AFFIDAVIT OF RETURN

INSTRUCTIONS: Please type or print legibly, insuring readability of all copies. Do not detach any copies.

Expiration date

Plaintiff  
Fifth Third Mortgage Company

No.: 2015-CV-161

2015-ED-33

Defendant  
Timothy J. Newhart

Type or Writ of Complaint  
EXECUTION/NOTICE OF SALE

**SERVE**

**AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SALE.  
TIMOTHY J. NEWHART

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

Berwick, PA 18603-1815

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE.

### SERVE DEFENDANT WITH THE NOTICE OF SALE.

NOW, \_\_\_\_\_, 20\_\_\_\_, I, Sheriff of COLUMBIA County, PA do hereby deputize the Sheriff of \_\_\_\_\_ County, to execute the within and make return thereof according to law.

Sheriff of COLUMBIA County, Penna.

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

Signature of Attorney or other Originator requesting service on behalf of XX Plaintiff  
\_\_\_\_\_  
Defendant  
ADDRESS: One Penn Center at Suburban Station, 1617 John F. Kennedy Boulevard, Suite 1400  
Philadelphia, PA 19103-1814

Telephone Number  
(215)563-7000

Date  
3/20/15

**SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE**

PLAINTIFF

Court Number

### RETURNED:

AFFIRMED and subscribed to before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 20\_\_\_\_

SO ANSWERS  
Signature of Dep. Sheriff

Date

Signature of Sheriff

Date

Sheriff of

PHELAN HALLINAN DIAMOND & JONES, LLP  
Adam H. Davis, Esq., Id. No.203034  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
Adam.Davis@PhelanHallinan.com  
215-563-7000

Attorney for Plaintiff

**Fifth Third Mortgage Company**

**vs.**

**Timothy J. Newhart**

: **COLUMBIA County**  
:  
: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO.: 2015-CV-161**  
: **2015-ED-33**

**VERIFICATION OF NON-MILITARY SERVICE**

The undersigned attorney hereby verifies that he/she is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) Timothy J. Newhart is not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Servicemembers Civil Relief Act, as amended.

(b) that defendant Timothy J. Newhart is over 18 years of age and resides at 926 Lasalle Street, Berwick, PA 18603-1815.

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



**Phelan Hallinan Diamond & Jones, LLP**  
Adam H. Davis, Esq., Id. No.203034  
Attorney for Plaintiff

Phelan Hallinan Diamond & Jones, LLP  
Adam H. Davis, Esq., Id. No.203034  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
Adam.Davis@PhelanHallinan.com  
215-563-7000

Attorney for Plaintiff

**Fifth Third Mortgage Company**

**vs.**

**Timothy J. Newhart**

: **COLUMBIA County**  
:  
: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO.: 2015-CV-161**  
: **2015-ED-33**


**VERIFICATION OF NON-MILITARY SERVICE**

The undersigned attorney hereby verifies that he/she is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) Timothy J. Newhart is not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Servicemembers Civil Relief Act, as amended.

(b) that defendant Timothy J. Newhart is over 18 years of age and resides at 926 Lasalle Street, Berwick, PA 18603-1815.

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



Phelan Hallinan Diamond & Jones, LLP  
Adam H. Davis, Esq., Id. No.203034  
Attorney for Plaintiff

PHELAN HALLINAN DIAMOND & JONES, LLP  
Adam H. Davis, Esq., Id. No.203034  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
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215-563-7000

Attorneys for Plaintiff

**Fifth Third Mortgage Company**  
Plaintiff

v.

**Timothy J. Newhart**  
Defendant(s)


: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO.: 2015-CV-161**  
:  
: **2015-ED-33**  
: **COLUMBIA County**  
:

**CERTIFICATION**

The undersigned attorney hereby states that he/she is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because:

- ( X ) the mortgage is an FHA Mortgage
- ( ) the premises is non-owner occupied
- ( ) the premises is vacant
- ( ) Act 91 procedures have been fulfilled
- ( ) Act 91 is Not Applicable pursuant to Pa Bulletin, Doc No 11-1197, 41 Pa.B. 3943

This certification is made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

By:   
**Phelan Hallinan Diamond & Jones, LLP**  
Adam H. Davis, Esq., Id. No.203034  
Attorney for Plaintiff



PHELAN HALLINAN DIAMOND & JONES, LLP  
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Attorneys for Plaintiff

**Fifth Third Mortgage Company**  
Plaintiff

v.

**Timothy J. Newhart**  
Defendant(s)

: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO.: 2015-CV-161**  
:  
: **2015-ED-33**  
: **COLUMBIA County**  
:


**CERTIFICATION**

The undersigned attorney hereby states that he/she is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because:

- ( X ) the mortgage is an FHA Mortgage
- ( ) the premises is non-owner occupied
- ( ) the premises is vacant
- ( ) Act 91 procedures have been fulfilled
- ( ) Act 91 is Not Applicable pursuant to Pa Bulletin, Doc No 11-1197, 41 Pa.B. 3943

This certification is made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

By: \_\_\_\_\_

  
**Phelan Hallinan Diamond & Jones, LLP**  
Adam H. Davis, Esq., Id. No.203034  
Attorney for Plaintiff

**SHORT DESCRIPTION**

By virtue of a Writ of Execution No. **2015-CV-161**

**Fifth Third Mortgage Company**

v.

**Timothy J. Newhart**

owner(s) of property situate in **BERWICK BOROUGH**, COLUMBIA County, Pennsylvania,  
being

**926 Lasalle Street, Berwick, PA 18603-1815**

**Parcel No. 04C-01-317-00,000**

(Acreage or street address)

Improvements thereon: **RESIDENTIAL DWELLING**

Judgment Amount: **\$84,819.98**

**Attorneys for Plaintiff**

Phelan Hallinan Diamond & Jones, LLP

### **LEGAL DESCRIPTION**

All that certain lot, piece or parcel of land situate in the Borough of Berwick, Columbia County, Pennsylvania, east of LaSalle Street, being Lot Number Seven (7) Section Twenty-three (23) of the Berwick Land and Improvement Company Addition of Berwick, being bounded on the North by Lot No. Eight (8) Section Twenty-three (23), One Hundred Forty (140) feet; on the East by an alley, forty (40) feet; on the South by Lot No. Six (6) Section Twenty-three (23), One Hundred Forty (140) feet; on the West by LaSalle Street, Forty (40) feet, to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Timothy J. Newhart, by Deed from Connie E. Dandini, widow, dated 11/23/2009, recorded 12/04/2009 in Instrument Number 200911524.

Tax Parcel: 04C-01-317-00,000

Premises Being: 926 Lasalle Street, Berwick, PA 18603-1815

## Document Receipt

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|         |      |                    |             |                   |                      |
|---------|------|--------------------|-------------|-------------------|----------------------|
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C/O WILLIAM MOLCZAN

1400 KOPPERS BUILDING

436 SEVENTH AVENUE

Tracking #: 71901140006000049884

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PITTSBURGH PA 15219

## Document Receipt

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12 READS WAY

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NEW CASTLE DE 19720

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TECHNICAL SUPPORT GROUP

INTERNAL REVENUE  
SERVICE

600 ARCH STREET ROOM 3259

Tracking #: 71901140006000049860

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PHILADELPHIA PA 19106

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PHILADELPHIA DISTRICT OFFICE

US SMALL BUSINESS  
ADMINISTRATION900 MARKET STREET 5TH FLOOR  
ROBERT N.C. NIX FEDERAL BUILDING

Tracking #: 71901140006000049853

Doc Ref #: 2015ED33

Postage 5.3400

PHILADELPHIA PA 19107

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OFFICE OF F.A.I.R.

DEPARTMENT OF PUBLIC  
WELFARE

PO BOX 8016

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HARRISBURG PA 17105



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DEPARTMENT 281230

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DEPARTMENT 281230

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HARRISBURG PA 17128

Phelan Hallinan Diamond & Jones, LLP  
One Penn Center Ste 1400  
Philadelphia, PA 19103

TD Bank, NA  
3-180/360

001506950

DATE  
3/23/2015

AMOUNT  
\*\*\*\*\$1,350.00

PAY ONE THOUSAND THREE HUNDRED FIFTY AND XX / 100 Dollars

TO THE  
ORDER  
OF

Sheriff of Columbia County  
35 W Main Street  
Bloomsburg, PA 17815

JKM [955346] 926 LASALLE STREET (2015-CV-161)

*Francis S. Hillen*

AUTHORIZED SIGNATURE

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