

IN THE COURT OF COMMON PLEAS OF SUSQUEHANNA COUNTY

# SHERIFF'S SALE

## MORTGAGE FORECLOSURE

**Tuesday, September 13th, 2011 at 10:00 A.M.**

By virtue of a Writ of Execution No. 2011-811 CP, issued by Community Bank & Trust Co., out of the Court of Common Pleas of Susquehanna County, Pennsylvania, upon Judgment entered therein to No. 2010-1962 CP, there will be exposed to public sale and outcry on Tuesday, September 13th, 2011 at 10:00 E.S.T., in the Sheriff's Office, Susquehanna County Court House, Montrose, Pennsylvania, the following described real estate, to wit:

ALL THAT CERTAIN piece or parcel of land situate, lying and being in the Township of Forest Lake, County of Susquehanna and Commonwealth of Pennsylvania, bounded and described as follows: BEGINNING at a 5/8-inch rebar found in the division line between lands of Sharon Barondeau and Richard Barondeau as described in Instrument No. 200405838 on the West, and lands of Charles E. Small and Janet F. Small as described in Deed Book 353 at Page 970 on the East, and rebar also being in the Northerly line of a private cottage road; THENCE along said Northerly line of a private cottage road, North 41 degrees 33 minutes 20 seconds West a distance of 552.34 feet to a found 5/8-inch rebar; THENCE through said lands of Barondeau, the following three courses and distances: 1) North 47 degrees 32 minutes 40 seconds East a distance of 672.68 feet to a set 5/8-inch rebar and cap; 2) South 38 degrees 49 minutes 22 seconds East a distance of 346.43 feet to a set 5/8-inch rebar and cap; and 3) South 38 degrees 36 minutes 38 seconds East, through a 5/8-inch rebar and cap set at the roadside, a distance of 562.43 feet to a point in the centerline of Township Road 643 (Lake Hill Road); THENCE along said centerline, South 55 degrees 16 minutes 53 seconds West a distance of 275.63 feet to a point; THENCE through said lands of Barondeau, the following two courses and distances: 1) North 40 degrees 12 minutes 52 seconds West, through a 5/8-inch rebar and cap set at roadside, a distance of 356.57 feet to a set 5/8-inch rebar and cap; and 2) South 55 degrees 16 minutes 53 seconds West a distance of 155.70 feet to a 3/4-inch iron found in said division line between lands of Barondeau on the West, and lands of Small on the East; THENCE along said division line, South 31 degrees 32 minutes 09 seconds West a distance of 216.63 feet to the POINT OF BEGINNING. CONTAINING 10.20 acres of land more or less, as shown as 'Lot 16' on a map entitled 'Survey Map for Subdivision of Lands of Sharon Barondeau and Richard Barondeau' by Butler Land Surveying, LLC, Map No. 2126-1, dated September 27, 2005. THIS PARCEL subject to any and all Rights-of-Way, Easements, and/or Agreement that may be over and across, or under the same, whether visible or invisible, or that may be of record for said premises. HAZARDOUS WASTE is not being disposed of, nor has it ever been disposed of on the property conveyed herein by the Grantors or to the Grantors' actual knowledge. BEING all of Lot No. 16 of the Barondeau Subdivision.

UNDER AND SUBJECT, nevertheless, to the following express conditions and restrictions, to wit:

1. Only one single family dwelling unit per parcel will be allowed.
2. There shall be no single wide or double wide mobile homes installed or placed on the subject premises. Modular homes are permitted.
3. Any dwelling erected on the subject premises shall be constructed on either a concrete slab or basement foundation. Pier foundations shall be permitted only on Lots 11 and 17 and thereon only for dwellings erected within three hundred (300 feet) feet of the waters of Forest Lake.
4. No portion of the subject premises or any structure thereon shall be erected or used for any commercial purposes involving the manufacture or wholesale or retail sales of tangible personal property or the repair or servicing of such property. Notwithstanding the above, in-home offices providing services only, such as accounting, tax preparation, real estate sales and the like, shall be permitted on the premises.
5. Signs identifying a permitted in-home service business or otherwise identifying the property of the owner(s) thereof shall be limited in size to no more than 18 inches by 24 inches; and in no event shall advertising signs of any size, other than those for in-home service businesses as allowed above, be permitted on the subject premises.
6. The subject premises shall not be used for the storage or parking thereon of more than one (1)

unlicensed motor vehicle at any time; nor shall unused or discarded items of the type commonly denominated "junk" be allowed to accumulate on the subject premises for any period of more than seven (7) days.

7. Ventures such as the keeping of horses, cattle and other livestock on the subject premises are permitted, except that poultry or swine shall not be permitted.

8. No further subdivision of any parcel shall be permitted.

9. The within restrictions, specifically agreed to be covenants running with the land, shall be made applicable to all lots within the Barondeau Subdivision as depicted on map of subdivision prepared by Butler Land Surveying, LLC, dated September 27, 2005, to wit: Lots 11 through 17 inclusive.

10. Excepting and reserving unto the Grantor herein, his heirs and assigns, the right to establish rights-of-way across the above premises within fifty (50) feet of the center line of the public highway and/or the private lake road also known as the 'Cottage Road' for the furnishing of utility services to other lands of Grantor herein.

TITLE TO SAID PREMISES IS VESTED IN Davida L. Scott and Dawn E. Scott, by Deed from Sharon Barondeau and Richard Barondeau, her husband, dated 01/10/2006, recorded 02/14/2006 in Instrument Number 200601586.

TAX PARCEL # 084.00-1,039.01,000

PREMISES BEING: 56 ROAD 4 A/K/A LOT # 16 BARONDEAU, RR2 BOX 2600 A/K/A "LOT 16" ON A MAP ENTITLED "SURVEY MAP FOR SUBDIVISION OF LAND OF SHARON BARONDEAU & RICHARD BARONDEAU" BY BUTLER LAND SURVEYING, LLC, MAP NO. 2126-1, DATED SEPTEMBER 27, 2005, MONTROSE, PA 18801

APPURTENANCES: One-One story wood framed dwelling with attached two car garage

Full amount of bid plus poundage must be paid on the date of the sale by 4:30 PM or the deed will not be acknowledged.

The Sheriff shall not be liable for loss or damage to the premises sold resulting from any cause whatsoever and makes no representation or warranty regarding the condition of the premises. Notice is hereby given and directed to all parties in interest and claimants that a Schedule of Distribution will be filed by the Sheriff no later than 30 days after the date of sale and that distribution will be made in accordance with that Schedule unless exceptions are filed thereto within ten (10) days thereafter.

**Seized and taken into execution as the property of Dawn E. Scott, Davida L. Scott**

Allison F. Wells, Esq.  
Phelan, Hallinan and Schmieg, L.L.P.  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103  
215-563-7000

**LANCE BENEDICT, SHERIFF  
SUSQUEHANNA COUNTY  
MONTROSE, PA 18801**