

IN THE COURT OF COMMON PLEAS OF LUZERNE COUNTY

**SHERIFF'S SALE**

OF VALUABLE REAL ESTATE

Friday, August 7th, 2009 at 10:30 A.M.

**SALE NO. 133**

**DEBT \$163,227.77**

By virtue of a Writ of Execution No. 625-2009, issued by Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania, out of the Court of Common Pleas of Luzerne County, Pennsylvania, upon Judgment entered therein to No. 11567-2008, there will be exposed to public sale and outcry on Friday, August 7th, 2009 at 10:30 E.S.T., in the Sheriff's Office, 200 North River Street, Wilkes Barre, Pennsylvania, the following described real estate, to wit:

All that certain piece or parcel of land situate in Bear Creek Township, Luzerne County, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a point, said point being a Westerly corner of lands now or formerly of Thomas Thoryk and the Northerly corner of lands herein described, said point of beginning located South fifty-one degrees East (S 51° E) two hundred eighty-seven and one tenth feet from a point where the Northerly corner of lands now or formerly of John Korzeniewski, et ux, meets the Easterly boundary of lands now or formerly of Max Copie, thence South seven degrees fifteen minutes East (S 7° 15' E) three hundred twenty-five (325) feet along the lands now or formerly of Thomas Thoryk to a point; thence through the lands now or formerly of the Grantor North eighty-two degrees thirty-three minutes West (N 82° 33' W) one hundred ninety-five and thirteen one-hundredths (195.13) feet to a point; thence North eleven degrees forty-two minutes East (N 11° 42' E) one hundred seventy-one feet (171) to a point, said point being the Southeasterly corner of lands now or formerly of Gabriel Spak and the Westerly corner of lands herein described, thence North forty degrees thirty minutes East (N 40° 30' E) one hundred four and eighty-six one-hundredths (104.86) feet to a point, thence North forty-four degrees thirty-four minutes East (N 44° 34' E) seventy-one and eighty eight one hundredths feet to the place of beginning.

Excepting and reserving out of the above described piece or parcel of land a sixteen (16) foot right of way over and upon the above described land to be used for ingress and egress to and from other lands now or formerly of the Grantor, said right of way being described as follows: Beginning at a point, said point being a Westerly corner of lands now or formerly of Thomas Thoryk and the Northerly corner of lands herein described, said point of beginning located South fifty-one degrees East (S 51° E) two hundred eighty-seven and one tenth feet from a point where the Northerly corner of lands now or formerly of John Korzeniewski, et ux, meets the Easterly boundary of lands now or formerly of Max Copie, thence South seven degrees fifteen minutes East (S 7° 15' E) three hundred twenty-five feet along the lands now or formerly of Thomas Thoryk to a point; thence through the lands now or formerly of the Grantor North eighty-two degrees thirty-three minutes (N 82° 33') sixteen and fifty-nine one-hundredths (16.59) feet to a point, thence North seven degrees fifteen minutes West (N 7° 15' W) three hundred nine and sixty-six one hundredths (309.66) feet to a point; thence North forty-four degrees thirty-four minutes East (N 44° 34' E) twenty and thirty-one one hundredths (20.31) feet to the place of beginning.

Together with a 16 foot right of way in common with the Grantors over and above the parcel of land conveyed today to and now or formerly of Gabriel Spak et ux, and marked Parcel #4 on map attached hereto and made a part hereof to be used for ingress and egress to and from the lands above described in common with the Grantors herein, bounded and described as follows, to wit:

Beginning at a point, said point being on the Westerly boundary of lands now or formerly of Thomas Thoryk, said point of beginning also being located South fifty-one degrees East (S 51° E) one hundred sixty eight and forty four one hundredths feet (168.44) from a point where the Northerly corner of lands now or formerly of John Korzeniewski, et ux, meets the Easterly boundary of lands now or formerly of Max Copie; thence South fifty one degrees East (S 51° E) one hundred eighteen and sixty six feet (118.66) along the lands now or formerly of Thomas Thoryk to a point, said point being the Northerly corner of lands now or formerly of the grantor and the Westerly corner of lands now or formerly of Thomas Thoryk; thence through the lands now or formerly of the Grantor South forty four degrees thirty four minutes West (S 44° 34' W) twenty and thirty-one one hundredths (20.31) feet to a point; thence North seven degrees fifteen minutes West (N 7° 15' W) six and thirty-one one hundredths (6.31) feet to a point; thence North fifty-one degrees West (N 51° W) one hundred eleven and one one hundredths (111.01) feet to a point on the Easterly side of dirt road, thence along the Easterly side of said road North fifty degrees nine minutes East (N 50° 9' E) sixteen and thirty-one one hundredths (16.31) feet to the place of beginning.

Seized and taken into execution as the property of Joseph Spak at the suit of Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania

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 on Monday, August 17, 2009, 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 Joseph Spak**

**Greg Wilkins  
Milstead & Associates, LLC  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002**

**MICHAEL A. SAVOKINAS, SHERIFF  
LUZERNE COUNTY**