

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. 43**

**DEBT \$74,365.24**

By virtue of a Writ of Execution No. 675-2009, issued by BAC Home Loans Servicing, L.P. f/k/a Countrywide Home Loans Servicing, L.P., out of the Court of Common Pleas of Luzerne County, Pennsylvania, upon Judgment entered therein to No. 140-2009, 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 GROUND SITUATE IN THE TOWNSHIP OF FOSTER, LUZERNE COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT, WHICH POINT IS THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF THE CENTRAL RAILROAD OF NEW JERSEY AND THE CENTER LINE OF L.R. #40150, SAID POINT OF BEGINNING BEING THE SOUTHEASTERN-MOST CORNER OF THE PARCEL HEREINAFTER DESCRIBED, AND FURTHER BEING THE MOST SOUTHEASTERN CORNER OF PARCEL NO. 2 AS SHOWN ON THE MAP OF LAND OF JOHN R. LERNICH DATED MAY 17, 1988, AND RECORDED IN LUZERNE COUNTY MAP BOOK 44, PAGE 12; THENCE IN A NORTHWESTERLY DIRECTION ALONG THE WESTERLY RIGHT-OF-WAY LINE OF THE CENTRAL RAILROAD OF NEW JERSEY, THE FOLLOWING THREE COURSES:

1. ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 563.00, AN ARC LENGTH OF 176.04 FEET;
2. NORTH THIRTY-TWO DEGREES TEN MINUTES THIRTY-SIX SECONDS WEST (N. 32° 10' 36" W.) 184.83 FEET;
3. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 415.22, AN ARC LENGTH OF 131.53 FEET, TO AN IRON PIN ON THE SOUTHERLY LINE OF LAND NOW OR FORMERLY OF GEORGE REKHART (D.B. 980, PAGE 404).

THENCE ALONG THE SOUTHERLY LINE OF LAND NOW OR FORMERLY OF GEORGE REKHART, SOUTH SEVENTY-FOUR DEGREES EIGHTEEN MINUTES FORTY-EIGHT SECONDS WEST (S. 74° 18' 48" W.) 362.85 FEET TO A POINT ON THE CENTER LINE OF L.R. #40150; THENCE ALONG THE CENTER LINE OF L.R. #40150 THE FOLLOWING TWELVE COURSES:

1. SOUTH FORTY DEGREES EIGHT MINUTES EAST (S. 40° 08' E.), 62.99 FEET;
2. SOUTH THIRTY-FOUR DEGREES THIRTY-EIGHT MINUTES EAST (S. 34°38' E.), 66.38 FEET;
3. SOUTH EIGHTEEN DEGREES THIRTY MINUTES EAST (S. 18° 30' E.), 95.79 FEET;
4. SOUTH NINE DEGREES TWENTY-ONE MINUTES EAST (S. 09° 21' E.), 76.32 FEET;
5. SOUTH THIRTY DEGREES FIFTY-NINE MINUTES EAST (S. 30° 59' E.), 113.48 FEET;
6. SOUTH SIXTY-NINE DEGREES FIFTY MINUTES EAST (S. 69° 50' E.), 59.43 FEET;
7. NORTH EIGHTY-THREE DEGREES THIRTY MINUTES EAST (N. 83° 30' E.), 68.78 FEET;
8. NORTH SEVENTY-TWO DEGREES ELEVEN MINUTES EAST (N. 72° 11' E.), 93.70 FEET;
9. NORTH SEVENTY-FIVE DEGREES FIFTY-SIX MINUTES EAST (N. 75° 56' E.), 66.73 FEET;
10. NORTH EIGHTY-FOUR DEGREES EIGHTEEN MINUTES EAST (N. 84°18' E.), 50.41 FEET;
11. SOUTH EIGHTY-TWO DEGREES THIRTY-TWO MINUTES EAST (S. 82°32' E.), 44.64 FEET;
12. SOUTH SIXTY-FIVE DEGREES FIFTY-FIVE MINUTES EAST (S. 65° 55' E.), 19.48 FEET; TO THE POINT AND PLACE OF BEGINNING.

BEING PARCEL NO. 2 AS SHOWN ON THE MAP OF LAND OF JOHN R. LEMICH, PREPARED BY DENNIS B. EVANS, PROFESSIONAL SURVEYOR, DATED MAY 17, 1988, AND RECORDED IN LUZERNE COUNTY MAP BOOK 44, PAGE 12.

PARCEL NO. P10-B00A-L20A

BEING THE SAME PREMISES WHICH RONALD M. FISHER AND JILL L. FISHER, HUSBAND AND WIFE, BY DEED DATED 08-25-00 AND RECORDED 09-21-00 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR THE COUNTY OF LUZERNE IN DEED BOOK 2731 PAGE 703, GRANTED AND CONVEYED UNTO RONALD M. FISHER.

NOTICE - THIS DOCUMENT DOES NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND IN THAT CONNECTION DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth in the manner provided in Section 1 of the Act of July 17, 1957, P.L., 984 as amended, and is not intended as notice of unrecorded instruments, if any.)

Being the same premises conveyed to Ronald M. Fisher by deed from RONALD M. FISHER AND JILL L. FISHER, HIS WIFE, dated August 25, 2000 and recorded September 21, 2000 in Deed Book 2731, Page 703.

The property is located at RR 2 Box 2131 Pond Creek Road n/k/a 119 Oley Valley Road, White Haven, Pennsylvania 18661 and is improved with a single family dwelling.

Seized and taken into execution as the property of Ronald M. Fisher at the suit of BAC Home Loans Servicing, L.P. f/k/a Countrywide Home Loans Servicing, L.P.

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 Ronald M. Fisher**

**Terrence J. McCabe  
McCabe, Weisberg and Conway  
123 S. Broad St., Suite 2080  
Philadelphia, PA 19109**

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