

SHERIFF'S SALE OF REAL ESTATE

NOTICE OF SHERIFF'S SALE OF REAL ESTATE

TAKE NOTICE that I, Jeffrey C. Krieg, Sheriff of Elk County will expose at public sale the following described real estate in the Attorney Conference Room on the First Floor of the Elk County Courthouse, Ridgway, Pennsylvania on **Thursday, September 29, 2011, at 1:00 P.M.**, prevailing time. This sale is being held on a Judgment in Mortgage Foreclosure filed by Kevro Properties Inc., assignee of Sovereign Bank, successor by merger with Waypoint Bank against Elk Power Realty, LLC. This Writ of Execution being issued upon a Judgment in Mortgage Foreclosure at No. 08-200 in the amount of \$763,397.17 plus costs.

DESCRIPTION OF REAL ESTATE TO BE SOLD

ALL those certain pieces or parcels of land situate, lying and being in the City of St. Marys (formerly Benzinger Township), bounded and described as follows, to-wit:

THE FIRST THEREOF:

BEGINNING at a point in the northerly side of PA Route 120, said point also being the southwest corner of this described lot; thence,

1. along line of John and Phyllis Grotzinger (which this described lot is a portion of), N 22° 53' E three hundred fifty-two and ninety-nine hundredths (352.99) feet to a point; thence,
2. through lands of John and Phyllis Grotzinger, S 68° 00' E one hundred sixty-five and fifty-two hundredths (165.52) feet to a point; thence,
3. still through lands of John and Phyllis Grotzinger, S 18° 02' W three hundred forty-nine and eighty-seven (349.87) feet to a point on the northerly side of PA Route 120; thence,
4. along the northerly side of PA Route 120, by a curve to the right having a length of one hundred ninety-five and thirty seven hundredths (195.37) feet and a radius of one thousand five hundred seventy-five and sixteen hundredths (1,575.16) feet, the chord of which bears N 69° 9' W one hundred ninety-five and twenty-four hundredths (195.24) feet to a point, the place of beginning.

CONTAINING 1.46 acres, more or less and referred to as Lot G-4

The subdivision of the above lot was approved by St. Marys City Council on September 15, 2003.

Having erected thereon a commercial one-story metal building and being commonly known as 1273 Bruxelles Street, St. Marys, Pennsylvania 15857. Bearing Tax Map No. 13-13-016-1759 and Control No. 13-001833.

THE SECOND THEREOF:

BEGINNING at a point on the northerly side of Rosely Road, said point also being a corner in common with Lot C-26; thence,

1. along the northerly side of Rosely Road, N 65° 11' W two hundred four and thirty-seven hundredths (204.37) feet to a point, being a corner in common with lands of Ross Kaveney; thence,

2. along line of Kaveney, N 33° 05' E three hundred twenty-nine and sixty-eight hundredths (329.68) feet to a point; thence,

3. still along line of Kaveney, N 53° 42' W sixty-six and seventy-eight hundredths (66.78) to a point; thence,

4. still along line of Kaveney, N 89° 17' W thirteen and nine hundredths (13.09) feet to a point, being a corner in common with Lot G-2; thence,

5. along a line of Lot G-2, and a line of Lot G-1, N 57° 27' W two hundred thirty-six and sixty hundredths (236.60) feet to a point in the northern line of Lot G-1; thence,

6. along a line of Lot C-19, N 24° 19' E three hundred three and eighty hundredths (303.80) feet to a point on the southerly side of PA Route 120; thence,

7. along the southerly side of PA Route 120, N 83° 01' E four hundred twenty-two and fifty-eight hundredths (422.58) feet to a point, being a corner in common with Lot C-20; thence,

8. along line of Lot C-20, S 07° 10' W three hundred nine and thirty-nine hundredths (309.39) feet to a point; thence,

9. along line of Lot C-25, S 05° 12' W one hundred eleven and eleven hundredths (111.11) feet to a point; thence,

10. still along line of Lot C-25, S 26° 58' W one hundred ten and thirty-five hundredths (110.35) feet to a point, being a corner in common with Lot C-26; thence,

11. along line of Lot C-26, S 27° 00' W three hundred eighty-three and eight hundredths (383.08) feet to a point on the northerly side of Rosely Road, the place of beginning.

CONTAINING 6.03 acres, more or less and referred to as Lot G-3.

The subdivision of the above lot was approved by St. Marys City Council on September 15, 2003.

Having erected thereon a commercial one-story block building and being commonly known as 1355 Rosely Road, St. Marys, Pennsylvania 15857. Bearing Tax Map No. 13-13-016-1667 and Control No. 13-030104.

THE THIRD THEREOF:

BEGINNING at a point, being the northwest corner of this described lot and also being a corner in common with Lot C-20; thence,

1. along the line of Lot C-20, N 83° 01' E, one hundred eighty-two and twenty hundredths (182.20) feet to a point on a cul-de-sac; thence,

2. along said cul-de-sac by a curve to the left having a radius of fifty-five (55.00) feet and a length of seventy-four and fifty-six hundredths (74.56) feet to a point; thence,

3. along line of Lot RF-10 and line of Lot RF-11, S 01° 32' E three hundred twenty one and forty-two hundredths (321.42) feet to a point, being a corner in common with Lot RF-11 and Lot C-26; thence,

4. along line of Lot C-26, N 65° 11' W three hundred twenty-nine and forty-eight hundredths (329.48) feet to a point on a line of other lands now or formerly of John E. and Phyllis W. Grotzinger; thence,

5. along a line of other lands now or formerly of John E. and Phyllis W. Grotzinger, N 26° 58' E one hundred ten and thirty-five hundredths (110.35) feet to a point; thence,

6. still along a line of other lands now or formerly of John E. and Phyllis W. Grotzinger, N 05° 12' E one hundred eleven and eleven hundredths (111.11) feet to a point, the place of beginning.

CONTAINING 1.71 acres, more or less and referred to as Lot C-25.

The subdivision of the above lot was approved by St. Marys City Council on October 16, 2000.

THE FOURTH THEREOF:

BEGINNING at a point, being a corner in common with Lot C-25 and also being the northwest corner of this described lot; thence,

1. along line of Lot C-25, S 65° 11' E three hundred twenty-nine and forty-eight hundredths (329.48) feet to a point, being a corner in common with Lot RF-11 and Lot C-25; thence,

2. along line now or formerly of Rosemary Gerber & others, S 24° 49' W three hundred eighty-three (383.00) feet to a point on the northerly side of Rosely Road; thence,

3. along the northerly side of Rosely Road, N 65° 09' W three hundred forty-four and eleven hundredths (344.11) feet to a point, being the southwest corner of this described lot; thence,

4. along a line of lands now or formerly of John E. and Phyllis W. Grotzinger, N 27° 00' E three hundred eighty-three and eight hundredths (383.08) feet to a point, the place of beginning.

CONTAINING 3.00 acres, more or less and being referred to as Lot C-26.

Parcels Three and Four being a vacant lots located on Rosely Road, St. Marys, Pennsylvania. Bearing Tax Map No. 13-13-016-1963 and Control No. 13-030105.

THE FIFTH THEREOF:

BEGINNING at a 5/8" rebar set in the southern margin of S.R. 120, also known as the Bucktail Trail, said rebar being also the northwest corner of Lot C-21 of the Cloverhill Estates subdivision, said rebar also marking the northeast corner of the parcel herein described; thence,

1. along the western line of the aforesaid Lot C-21, S 07° 10' 25" W two hundred fifty-four and thirty-nine hundredths (254.39) feet to a 5/8" rebar set in the northern margin of a presently unnamed road, said rebar also marking a corner of the aforesaid Lot C-21, said rebar also marking a corner of the parcel therein described; thence,

2. along the north margin of the aforesaid unnamed road, a curve to the left with a length of ninety-nine and ninety-eight hundredths (99.98) feet and a radius of fifty-five (55.00) feet the chord of which bears, S 45° 05' 56" W eighty-six and seventy-seven hundredths (86.77) feet to a corner of the parcel herein described; thence,

3. through lands now or formerly of John E. and Phyllis W. Grotzinger, husband and wife, S 83° 01' 27" W one hundred eighty-two and twenty hundredths (182.20) feet to a 5/8" rebar set marking the southwest corner of the parcel herein described; thence,

4. through lands now or formerly of John E. and Phyllis W. Grotzinger, husband and wife, N 07° 10' 25" E three hundred nine and thirty-nine (309.39) feet to a 5/8" rebar set marking the northwest corner of the parcel herein described, said rebar being in the southern margin of State Route 120; thence,

5. along the southern margin of State Route 120, N 83° 01' 27" E two hundred thirty-seven and twenty hundredths (237.20) feet to the place of beginning.

CONTAINING 1.57 acres of land and being C-20 of Cloverhill Estates subdivision.

The subdivision of the above lot was approved by St. Marys City Council on October 16, 2000.

Being a vacant lot located on Bucktail Road, St. Marys, Pennsylvania 15857. Bearing Tax Map No. 13-13-016-1933 and Control No. 13-030103.

Being the same premises conveyed to Elk Power Realty, LLC, by deed dated February 25, 2004 and recorded March 2, 2004 in the Office of the Recorder of Deeds of Elk County at Deed Book 497, Page 856.

ATTORNEY: Thomas G. Wagner, Esq.
Meyer & Wagner

ADDRESS: 115 Lafayette Street
St. Marys, PA 15857

TELEPHONE: (814) 781-3445

All claims against the above property must be filed at the Office of the Sheriff prior to the above sale date. Claims to the proceeds must be made with the Office of the Sheriff before distribution. The Sheriff will file a Schedule of Distribution in his office, no later than 30 days after the sale. Exceptions to distribution or a Petition to set aside the Sale must be filed with the Office of the Sheriff no later than ten (10) days from the date when the Schedule of Distribution is filed in the Office of the Sheriff.

Date: *The Daily Press*
September 1, 2011
September 8, 2011
September 15, 2011

Jeffrey C. Krieg, Sheriff
250 Main Street
Ridgway, PA 15853

TERMS OF SALE

The successful bidder must pay ten (10%) percent of the bid at the time of the sale in cash, certified check or money order and the balance of within thirty (30) days thereafter, otherwise, the property will be re-exposed for sale on the same date or at a subsequent date at the risk and expense of the first person to whom it was struck off and that person's ten percent bid shall be forfeited to the Sheriff's Office as damages to cover expenses and deficiencies incident to a resale.