

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, February 2nd, 2012 at 1:00 P.M.**, prevailing time. This sale is being held on a Judgment in Mortgage Foreclosure filed by Bank of America, N.A. successor by merger to BAC Home Loans Servicing, LP against Christopher S. Berry and Ivy M. Berry. This Writ of Execution being issued upon a Judgment in Mortgage Foreclosure at No. 09-901 in the amount of \$ 132,379.72 plus costs.

DESCRIPTION OF REAL ESTATE TO BE SOLD

ALL THAT CERTAIN piece, parcel or lot of land situate, lying and being in the City of St. Marys, County of Elk and Commonwealth of Pennsylvania bounded and described as follows, to-wit:

PARCEL FIRST:

Situate on Church Street, south of lot now or formerly of Susan Fochtman, containing in front on Church Street, fifty (50) feet by one hundred fifty (150) feet deep, at right angles.

CONTAINING seven thousand five hundred (7,500) square feet of land and being part of the same lot which is No. 25 on Center Street as was conveyed to Michael Brunner, et ux, by George Brunner, et ux, by deed dated August 5, 1856 and recorded in the Office of the Recorder of Deeds of Elk County in Deed Book F at Page 76, and part of the same Lot No. 27 on Center Street as was conveyed to the Grantor by Charles Luhl, Executor of the Last Will and Testament of Charles Brockle, deceased, recorded in the same office in Deed Book F at Page 204, as the north boundary of the land herein conveyed as being also the south line of the said Susan Fochtman's lot.

Tax Map No.: 13-13-236-5125

Control No.: 13-017766

PARCEL SECOND:

BEGINNING at a point on the eastern side of Church Street, said point being the corner where land now or formerly of Susan Fochtman joins the land now or formerly of Mary G. Valentine on the eastern side of Church Street;

THENCE, northerly along the eastern side of Church Street six (6) feet;

THENCE, easterly one hundred fifty (150) feet, more or less, to lands now or formerly of Mary G. Valentine;

THENCE, southerly six (6) feet to a point;

THENCE, along lands now or formerly of Mary G. Valentine one hundred fifty (150) feet more or less, to THE PLACE OF BEGINNING.

MEANING HEREBY to grant and convey a strip of land six (6) feet wide and one hundred fifty (150) feet, more or less, in depth from the southern side of land now or formerly of Susan Fochtman which faces Church Street borders on the lot now or formerly of Mary G. Valentine.

EXCEPTING AND RESERVING however, from the above-granted and conveyed premises, the right and privilege of Susan Fochtman, her heirs and assigns forever, to use the premises herein conveyed as a driveway.

PARCEL THIRD:

BEGINNING at a point one hundred twenty-five (125) feet from the corner where lands now or formerly of Frank Boschert and lands now or formerly of M. Brunner meet on the north side of Center Street in St. Marys, PA:

THENCE, running northerly along lands now or formerly of Mary G. Valentine and Susan Fochtman seventy-five (75) feet to a point on the south side of lands now or formerly of the Benedictine Society of Westmoreland County, PA;

THENCE, easterly sixty-two (62) feet to a point on the south side of said Benedictine lands;

THENCE, southerly at right angles with south side of said Benedictine Society lands seventy-five (75) feet to a point;

THENCE, westerly at right angles sixty-two (62) feet to THE PLACE OF BEGINNING.

CONTAINING four thousand six hundred fifty (4,650) square feet of land, more or less.

SUBJECT TO all exceptions, reservations, conditions, restrictions, rights-of-way and easements, as fully as the same are contained in all prior deeds or instruments, or in any other manner touching or affecting the premises hereby conveyed.

TITLE TO SAID PREMISES IS VESTED IN Christopher S. Berry and Ivy M. Berry, husband and wife, by deed from Michael A. Geitner and Debra A. Geitner, husband and wife, dated 01/18/2006, recorded 02/03/2006 in Deed Book 544, Page 241.

PARCEL SECOND AND THIRD TOGETHER BEING:

Tax Map No.: 13-13-236-2795 Control No.: 13-023221

ADDRESS KNOWN AS: 118 Church Street, St. Marys, PA 15857

IMPROVEMENTS BEING: Two story frame dwelling with attic and basement (1,327 sq. ft.), with a open frame wrap around porch (435 sq. ft.) another open frame porch in back on left side (56 sq. ft.) an enclosed frame porch (35 sq. ft.). Another open framed porch (56 sq. ft.)

ATTORNEY: Daniel G. Schmieg, Esq.
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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*
January 5, 2011
January 12, 2011
January 19, 2011

Jeffrey C. Krieg, Sheriff
Elk County Sheriff's Office
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.