

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 9th, 2012 at 1:10 P.M.**, prevailing time. This sale is being held on a Judgment in Mortgage Foreclosure filed by First Commonwealth Bank against John Schneider. This Writ of Execution being issued upon a Judgment in Mortgage Foreclosure at No. 11-41 in the amount of \$ 40,171.05 plus costs.

DESCRIPTION OF REAL ESTATE TO BE SOLD

ALL those certain pieces of land situate, lying and being in the Township of Fox, County of Elk and State of Pennsylvania, bounded and described as follows:

FIRST: BEGINNING at a point in the center of said highway leading from Brockway to Dagus which point is in the dividing line between lands of the Northwestern Mining and Exchange Company and lands now or formerly of Axel Swanson; thence partly along land now or formerly of Independent Order of Good Templars Toby Lodge No. 626, South 56° 12' East 66 feet to an iron pin; thence continuing along said lands of Independent Order of Good Templars Toby Lodge No. 626, South 85° 14' East 172.32 feet to an iron pin in the northwesterly right-of-way line of the Erie Railroad Company, Toby Branch; thence along said right-of-way line, South 50° 29' West 256.37 feet to an iron pin; thence North 48° 09' West 169 feet, more or less, to a point in the center of the highway leading from Brockway to Dagus Mines; thence along the center of said highway, North 44° 33' East 140.37 feet to the place of beginning. CONTAINING an area of 36,280 square feet, more or less.

RESERVING to the Northwestern Mining and Exchange Company, its successors and assigns, a right-of-way for a water pipe line across the lands hereinabove described at the location where now constructed and maintained for the purpose of conducting water to adjoining land now or heretofore owned by the party of the first part, and also perpetual right, license and privilege to enter in and upon the said lands for the purpose of renewing and repairing the said water line.

BEING the same premises described as FIFTH in a deed from Terry L. Boroj and Nancy K. Boroj to Terry L. Boroj, dated April 11, 2002, and recorded April 11, 2002, in Elk County Record Book 446 at Page 085.

Tax Map No.: 03-19-195-8625

Control No.: 03-004869

IMPROVEMENTS BEING: a two-story dwelling over basement (600 sq. ft.); open porch (65 sq. ft.); one-story addition (200 sq. ft.); wooden stoop (48 sq. ft.); open porch (144 sq. ft.)

SECOND: BEGINNING at a hemlock stump on the south line of Jeremiah Hewitt's Farm lot; thence North 9° West 58 feet to a post on the south side of a public road; thence North 30° East 72 feet to a post; thence South 59° East 176 feet to a post; thence West 135 feet to the place of beginning. CONTAINING 1,000 square feet of land, be the same, more or less.

EXCEPTING AND RESERVING, however, the same reservations and restrictions as fully as mentioned in deed of Jeremiah Hewitt to the Independent Order of Good Templars of Toby Lodge No. 220 dated August 20, 1885, and recorded in Elk County Deed Book 029 at Page 197.

BEING the same premises described in a deed from Paul J. Quattrone to Terry L. Boroj dated May 19, 1983, and recorded May 20, 1983, in Elk County Deed Book 235 at Page 1039.

Tax Map No.: 03-19-195-8386

Control No.: 03-004866

IMPROVEMENTS BEING: vacant land on irregular shaped lot.

THIRD: A 1/12th undivided interest in and to that certain piece or parcel of land described as follows: BEGINNING at a point in the center of the Hog Back Road in line of lands of Charles Swanson; thence along said Swanson's land South 85° 02' East 348 feet, more or less, to a maple tree; thence continuing along said Swanson's land South 04° 42' West 513.27 feet to an iron pin in the northwest corner of land of Fox Township School District; thence along land of Fox Township School District and land conveyed by Northwestern Mining and Exchange Company to Mary Ann Blick by deed dated November 27, 1945, and intended to be recorded, North 62° 54' East 229 feet to an iron pin which is the northeasterly corner of land of said Mary Ann Blick; thence continuing along land of Mary Ann Blick, South 18° 32' East 215.41 feet to the center of the highway leading from Brockway to Dagus; thence along the center of said highway the following courses and distances; North 58° 30' East 129.99 feet; North 55° 26' East 110.97 feet; North 56° 50' East 148.30 feet; North 56° 16' East 146.04 feet; North 51° 16' East 108.92 feet; North 49° 24' 109.40 feet; North 44° 33' East 140.37 feet to a point in the line of lands now or late of Axel Swanson; thence along the Swanson's land North 56° 12' West 1074.3 feet to a point in the center of the Hog Back Road; thence along the center of the Hog Back Road in a general southwesterly direction by its various courses and distances to the place of beginning. CONTAINING an area of 17 acres, more or less.

TOGETHER with a 1/12th undivided interest in and to an easement or right-of-way for a water pipe line across the lot hereinabove first described as well as across certain other lots of the southeasterly side of the highway leading from Brockway to Dagus contiguous to the lot herein conveyed and also across a certain other lot of land on the northwesterly side of said highway conveyed by the Northwestern Mining and Exchange Company to Mary Ann Blick by deed dated November 27, 1945; and intended to be recorded in the Recorder's Office of Elk County.

BEING the same premises described as SIXTH in a deed from Terry L. Boroj and Nancy K. Boroj to Terry L. Boroj, dated April 11, 2002 and recorded April 11, 2002 in Elk County Record Book 446 at Page 085.

Tax Map No.: 03-19-195-7341.00J

Control No.: 03-023167

IMPROVEMENTS BEING: 1/12 interest – vacant land.

ALTOGETHER BEING the same premises conveyed to John Schneider by deed from Gerald Boroi, Executor of the Estate of Terry Boroi, deceased, dated November 1, 2006 and recorded November 11, 2006 in the Elk County Recorder of Deeds Office as Instrument #2006-004672

ALTOGETHER BEING KNOWN AS: 385 Toby Road, Kersey, PA 15846

ATTORNEY: Christopher E. Mohny, Esq.

ADDRESS: 25 East Park Avenue, Suite 6
DuBois, PA 15801

TELEPHONE: (814) 375-1044

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 12, 2012
January 19, 2012
January 26, 2012

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.