

SHERIFF'S SALE

By Virtue of a Writ of Execution (Mortgage Foreclosure)
No. 10490/2020

Issued out of the Court of Common Pleas of Luzerne County, Pennsylvania and to me directed, I will expose the following described property at public sale at the Luzerne County Courthouse in the City of Wilkes-Barre County of Luzerne, Commonwealth of Pennsylvania on:

AT 10:30 O'CLOCK A.M.

All parties in interest and claimants are further notified that a proposed schedule of distribution will be on file in the Sheriff's Office no later than thirty (30) days after the date of the sale of any property sold hereunder, and distribution of the proceeds will be made in accordance with the schedule ten (10) days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

By virtue of a Writ of Execution issued by Plaintiff: The Fidelity Deposit and Discount Bank
To Case Number: 2020-CV-10490

ALL the surface or right of soil of that certain lot, piece or parcel of land situate, lying and being in the Township of Dallas, County of Luzerne and State of Pennsylvania, bounded and described as follows, to wit:

THAT proportionate share of the hereinafter described real estate, together with rights appurtenant thereto pursuant to maps, covenants, declarations, and Code of Regulations as hereinafter referred to, as the same apply to Unit #641, Building "L", Meadows I Condominium, Newberry Estate, together with 2.580% of the common areas of aforesaid condominium development, which development is described as follows:

BEGINNING at a point on the Southwest side of Ring Road, said point being 6.00 feet from the edge of the pavement;

THENCE along Ring Road, the following courses and distances: (1) Around a curve to the left having a radius of 257.87 feet, an arc length of 137.645 feet and a chord bearing and distance of South 55 degrees 01 minutes 28 seconds East, 136.016 feet; (2) South 70 degrees 19 minutes East 250.00 feet to a point; (3) Around a curve, to the right having a Delta of 37 degrees 07 minutes 01 second, a radius of 180.78 feet, a tangent of 60.69 feet, and an arc length of 117.11 feet to a point; (4) South 33 degrees 15 minutes 59 seconds East 162.59 feet to a point; (5) around a curve to the left having a radius of 211.00 feet, an arc length of 165.85 feet, and a chord bearing and distance of South 55 degrees 47 minutes 01 second East 161.61 feet to a point;

THENCE through land of Newberry Estate the following courses and distances (1) South 9 degrees 09 minutes 10 seconds East 86.03 feet to an iron pipe; (2) through the centerline of a tree line, South 67 degrees 49 minutes 19 seconds West 513.78 feet to a point; said point being in the Westerly boundary of Newberry Estate and being North 26 degrees 23 minutes West, 283.19 feet from the Southerly corner of the boundary of Newberry Estate;

Thence along the Westerly boundary of Newberry Estate and an existing chain link fence, North 26 degrees 23 minutes West 594.81 feet to a point;

Thence along land of Newberry Estate, North 63 degrees, 31 minutes East 151.03 feet to the point and place of beginning.

Containing 6.744 acres more or less.

BEING the same premises conveyed unto George R. Schall and Judith Schall, his wife, by Allen W. Erwine, Jr. and Mary Erwine, husband and wife, pursuant to a deed dated September 12, 2002 and recorded on September 16, 2002 in the Office of the Recorder of Deeds in and for Luzerne County, PA pursuant to Record Book 3002 at Page 224204.

Grantor desires to convey the hereinafter described Condominium Unit contained within the said project, together with the undivided ownership interest in the Common Area of said Project appurtenant to said Condominium Unit, as the same are established and identified in the aforesaid Declaration and Map and Second Amended Declaration and Map; and

Grantees have purchased said Condominium Unit, together with said undivided ownership interest in said Common Area from Grantor;

Grantors hereby convey and warrant to the Grantees the following interest in the above described property, subject to the provisions of the next succeeding paragraphs herein:

Parcel A: Unit #641, as the same is established and identified in the Second Amended Declaration, Declaration Plan and Map recorded herewith; and

Excepting and reserving, however, the following:

- A. Any portion of the Common Area lying within said Unit;
- B. Easements through said unit, appurtenant to the Common Area and all other units, for support and repair of the Common Area and all other units;
- C. Easements, appurtenant to the Common Area, for encroachment upon the air space of the unit by those portions of the Common Area located within the Unit;

Parcel B: Together with the following appurtenant easements:

- A. Nonexclusive easements for ingress and support of said Parcel A through the Common Area and for repair of said Parcel A through all other units and through the Common Area;
- B. An exclusive easement to use the balcony, patio, storage shed and carports appurtenant to the unit herein conveyed, as the same are shown on the Map or second amended map.

Parcel C: An undivided 2.580% interest as tenant in common in and to the Common Area as the same is established and identified in the Declaration and Map and amendments thereto referred to hereinabove;

Excepting and reserving, however, the following:

- A. Nonexclusive easements appurtenant to all units for ingress and egress, support and repair; and
- B. Exclusive easements appurtenant to each Unit for use of the balcony patio, storage shed and carports as shown on the Map.

Parcel D: Together with the following easements appurtenant to the Common Area:

- A. Nonexclusive easements through each unit for support and repair of the Common Area;
- B. Nonexclusive easements for encroachments upon the air space of all of the units by and for the portions of the Common Area lying within the units.

The Unit and the undivided ownership interest in the Common Area more particularly described above are hereby conveyed subject to the provisions of the Pennsylvania Condominium Act, a/k/a Unit Property Act of the Commonwealth of Pennsylvania, the aforesaid Declaration and the exhibit attached to the said Declaration, the aforesaid Map, second amended Map, all rules, regulations and agreements lawfully made and/or entered into pursuant to the provisions of the aforesaid Act and Declaration and exhibit attached thereto, and subject also to all easements, covenants, conditions, restrictions and liens of record.

Terms used in this Deed are defined as follows:

A. "Unit" means a numbered parcel as shown on the Map. The boundary lines of each Unit are the interior surfaces of its perimeter walls, bearing walls, easement floors, top story ceilings, windows, and window frames, and trim, and includes both the portions of the building so described and the air space so encompassed.

B. "Common Area" means all land and all portions of the Property not located within any Unit; and also includes, but not by way of limitation, roofs, foundations, pipes, ducts, flues, chutes, conduits, wires and other utility installations to the outlets, bearing walls, perimeter walls, columns and girders, to the interior surfaces thereof, regardless of location, greens, gardens, balconies, patios, carports, storage sheds, service streets and parking areas, recreational green and facilities, to lots, all installation of power, lights, gas, hot and cold water and heating existing for common use and all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use.

The Grantees, their successors and assigns, to have the right to use all of the roadways on the lands owned by the Grantor herein, which land is fully described in chain of title in Luzerne County Deed Book 1671, Page 1028, and further, the Grantees, their heirs and assigns, to have the right to use the sewer line as presently installed on said other lands of the Grantor herein which description is set forth in chain of title in Luzerne County Deed Book 1671, Page 1028.

The Grantees, for and on behalf of the Grantees and the Grantees' heirs, personal representatives, successors and assigns, by the acceptance of this Deed, covenants and agrees to pay such charges for the maintenance of, repairs to, replacement of, and expenses in connection with the common areas as may be assessed from time to time by the Council in accordance with the Unit Property Act of Pennsylvania, and further covenants and agrees that the unit conveyed by the Deed shall be subject to a charge for all amounts so assessed and that, except insofar as Sections 705 and 706 of said Unit Property Act may relieve a subsequent unit owner of liability for prior unpaid assessments, this covenant shall run with and bind the land or unit hereby conveyed and all subsequent owners thereof.

The benefits and obligations hereunder shall inure to and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

The interest herein conveyed and the obligations herein created are further defined and subject to the terms, conditions and property descriptions as set forth in the Amended Declaration of Covenants, conditions and Restrictions, Amended Code and Amended Declaration Plan recorded January 31, 1984, in the Office of the Recorder of Deeds in and for Luzerne County in Map Book 36, Page 3 and second Amendment to Declaration and

Map recorded herewith.

This conveyance is also made under and subject to Agreement of Reciprocal Covenants and Easements dated the 13th day of September, 1995, and recorded on the 18th day of February, 1986, in the Office of the Recorder of Deeds of Luzerne County in Deed Book 2185, Page 1.

TITLE TO SAID PREMISES IS VESTED in George R. Schall and Judith Schall by deed dated September 12, 2002 from Allen W. Erwine, Jr. and Mary Erwine, husband and wife, which deed was recorded on September 16, 2002 in the Recorder of Deeds of Luzerne County, PA in Record Book 3002 at Page 224204.

PROPERTY BEING KNOWN AS: 641 Meadows Lane, Newberry Estates, Dallas, PA 18612.

BEING Luzerne County Tax Parcel and PIN No.: 10-E8S9-001-641-000 & Plate No.: 10-1450-1-D22-1-D26-2.

IMPROVEMENTS thereon consist of: Condominium/Residential Dwelling

SEIZED AND TAKEN in execution as the property of: George R. Schall and Judith Schall.

PROPERTY ADDRESS: 641 MEADOWS LN, DALLAS, PA 18612

UPI / TAX PARCEL NUMBER: 10-E8S9-001-641-000

Seized and taken into execution to be sold as the property of GEORGE R SCHALL, JUDITH SCHALL AND UNITED STATES OF AMERICA in suit of THE FIDELITY DEPOSIT AND DISCOUNT BANK.

Attorney for the Plaintiff:
HOURIGAN KLUGER & QUINN
KINGSTON, PA 570-287-3000

BRIAN M. SZUMSKI, Sheriff
LUZERNE COUNTY, Pennsylvania