

# SHERIFF'S SALE

By Virtue of a Writ of Execution (Mortgage Foreclosure)  
No. 12205/2019

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.

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By virtue of a Writ of Execution No. 2019-12205, issued out of the Court of Common Pleas of Luzerne County, directed to me, there will be exposed to public sale, by vendue or outcry to the highest and best bidder, for cash, in the Luzerne County Courthouse, in the City of Wilkes-Barre, Luzerne County, Pennsylvania, on Friday, August 13, 2021, at 10:30 a.m., in the forenoon of the said day, all the right, title and interest of the Defendant in and to:

## LEGAL DESCRIPTION (PER TITLE COMMITMENT)

ALL THAT CERTAIN lot, piece or parcel of land together with the improvements thereon erected or to be thereon erected, situate in Dallas Township, Luzerne County, Pennsylvania, bounded and described in accordance with a Plan of Survey made by Engineer Associates (John K.J. Callahan, P.E.), Wilkes-Barre, Pennsylvania, dated December 1, 1976, and revised June 12, 1980, as follows:

BEGINNING at a point on the Westerly 50 foot wide right-of-way line of P.D.H. Route No. 11, said point being on a chord course of South 01 degrees 14 minutes East, a chord distance of 196 feet from the point of intersection formed by the above-described right-of-way line with the Southerly line of lands now or formerly of the Petroleum Services Co.;

THENCE in a southerly direction along the Westerly right-of-way line of Route No. 11, on a chord course of South 00 degrees 04 minutes East, a chord distance of 726.88 feet to a point:

THENCE in a Westerly direction through lands now or formerly of Paul J. Schalm et ux on a course of South 58 degrees 00 minutes West a distance of 457.42 feet to a point in line of lands now or formerly of the Irem Temple Country Club;

THENCE in a Northwesterly direction along said lands, on a course of North 32 degrees 00 minutes West, a distance of 743 feet to a point;

THENCE in a Northeasterly direction through lands now or formerly of Paul Schalm et ux the following courses and distances: (1) North 16 degrees 00 minutes East, a distance of 345 feet to a point; and (2) North 89 degrees 22 minutes East, 685.80 feet to the place of BEGINNING.

## LEGAL DESCRIPTION (PER FIELD SURVEY)

ALL that certain lot, piece or parcel of land, situate in the Township of Dallas, County of Luzerne and the Commonwealth of Pennsylvania bounded and described as follows:

BEGINNING at a concrete monument on the westerly right-of-way of State Route 309, said monument being the common corner of lands now or formerly of Commonwealth Telephone Company and the lands described herein ;

THENCE along the westerly right-of-way line of State Route 309, the following two (2) courses and distance:

1. South 01 degrees 21 minutes 50 seconds East, one hundred thirteen and thirty-six one-hundredths (113.36) feet to a point;

2. By a curve to the right in a southerly direction, said curve having a radius of eleven thousand four hundred thirt- four and thirteen one-hundredths (11434.13) feet, an arc length of six hundred thirteen and ninety-two one-hundredths (613.92) feet and subtended by a chord of South 00 degrees 10 minutes 53 seconds West, six hundred thirteen and eighty-five one-hundredths (613.85) feet to an iron pin at the northeasterly corner of lands now or formerly of Paul J. Schalm Et Ux;

THENCE along said lands, South 58 degrees 00 minutes 10 seconds West, four hundred fifty-seven and sixty nine one -hundredths (457.69) feet to an iron pin in line of lands now or formerly of Irem Temple Ancient Arabic Order Nobles of the Mystic Shrine;

THENCE along said lands, North 31 degrees 58 minutes 40 seconds West, seven hundred forty-three and nineteen one-hundredths (743.19) feet to an iron pin at the corner of land now or formerly of the Commonwealth Telephone Company;

THENCE along said lands, the following two (2) courses and distances:

1. North 16 degrees 01 minute 15 seconds East, three hundred forty-five and ten one-hundredths (345.10) feet to a concrete monument;

2. North 89 degrees 22 minutes 00 seconds East, six hundred eighty-five and eighty one-hundredths (685.80) feet to the Point of BEGINNING.

The above description is drawn in accordance with a survey prepared by Clough Harbour & Associates, LLP dated 01/10/2008.

BEING the same premises conveyed to Bayard PA, LLC by Deed of Bayard, LLC, dated March 10, 2008, and recorded in the Office of the Recorder of Deeds in and for Luzerne County in Record Book 3008, at Page 115396.

The Property Identification Number for the above-described parcel is 10-D8-00A-02C-000.

PREMISES improved with an apartment complex more commonly known as Country Club Apartments, 700 Route 309 North, Dallas Township, Luzerne County, Pennsylvania.

UNDER and SUBJECT to the same reservations, conditions, restrictions, covenants, exceptions and easements as appear in prior chain of title.

TOGETHER with all buildings and improvements thereon.

NOTICE IS HEREBY GIVEN to all claimants and parties in interest, that the Sheriff will within thirty (30) days after the sale file a schedule of distribution in his office, where the same will be available for inspection and that distribution will be made in accordance with this schedule unless exceptions are filed to it within ten (10) days.

SEIZED AND TAKEN into execution at the suit of DALLAS AREA MUNICIPAL AUTHORITY against BAYARD PA, LLC, and will be sold by:

BRIAN M. SZUMSKI  
Sheriff of Luzerne County

CHARITON, SCHWAGER & MALAK  
Attorneys

PROPERTY ADDRESS: COUNTRY CLUB AOARTMENTS, 700 ROUTE 309 NORTH, DALLAS, PA 18612

UPI / TAX PARCEL NUMBER: 10-D8-00A-02C-000

Seized and taken into execution to be sold as the property of BAYARD PA, LLC in suit of DALLAS AREA MUNICIPAL AUTHORITY.

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**Attorney for the Plaintiff:**  
DAVID SCHWAGER, ESQ  
KINGSTON, PA 570-822-2929

**EUGENE GURNARI, Interim Sheriff**  
LUZERNE COUNTY, Pennsylvania