

# SHERIFF'S SALE

By Virtue of a Writ of Execution (Mortgage Foreclosure)  
No. 1758/2018

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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CERTIFIED P.I.N. #01-J9NE4-003-04A-000 / 25-J9NE4-003-04B-000 / 01-J9NE4-003-004-000 / 01-J9NE1-003-023-000

## SHERIFF'S SALE LONG DESCRIPTION

By virtue of a Writ of Execution No. \_\_\_\_\_ of SMS Financial Strategic Investments LLC, 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 bidders, for cash, in the Courthouse, in the City of Wilkes-Barre, Luzerne County, Pennsylvania, on Friday, October 6, 2023, at 10:30 a.m., in the forenoon of the said day, all the right, title and interest of the Defendants in and to:

ALL the surface or right of soil of that certain lot, piece, parcel or tract of land situate, lying and being in the Borough of Ashley and Township of Hanover, County of Luzerne and Commonwealth of Pennsylvania, more particularly bounded and described as follows, to wit:

BEGINNING at a point on the northerly right-of-way line of Pennsylvania State Highway Route 170, said point being the intersection of the westerly line of Hazleton Street and the northerly right of way line of said Pennsylvania State Highway Route 170;

THENCE along the northerly right-of-way line of said Pennsylvania Highway Route 170 in a southwesterly direction by a curve to the left and sixty (60.00) feet at right angles from the centerline of said highway, three hundred (300.00) feet to a point;

THENCE along the line of lands late of Glen Alden Corporation:

(1.) N 54° West, two hundred (200.00) feet, and;

(2.) N 36° East, three hundred ninety-five (395.00) feet, more or less, to a point on the westerly line of Hazleton Street;

THENCE along the westerly line of Hazleton Street in a southeasterly direction by a curve to the right, two hundred forty-seven (247.00) feet, more or less, to THE PLACE OF BEGINNING.

CONTAINING one and sixty-six one-hundredths (1.66) acres, more or less, of surface as shown on the map attached to the deed recorded in Deed Book 1577, at page 583.

SUBJECT to the exceptions, reservations, provisions, covenants, conditions, waivers, and restrictions set forth in prior deeds or other instruments forming the chain of title, and all those set forth in the deed of Glen Alden Corporation to Krincek Catering Service Co. recorded in Deed Book 1577, Page 583.

PROPERTY IDENTIFICATION NUMBER J9 1E4 003 04B

UNDER AND SUBJECT TO the rights Pennsylvania Gas and Water Company under Agreement dated February 22, 1962, between said company and Glen Alden Corporation.

PARCEL 2

ALL those three (3) certain pieces or parcels of land situate partly in the Borough of Ashley and partly in the Township of Hanover, County of Luzerne and Commonwealth of Pennsylvania, bounded and described as follows:

THE FIRST THEREOF:

BEGINNING at a corner dividing lands quit claimed to Pennsylvania Gas and Water Company (June 23, 1966, Deed Book 1592, page 9511) and lands of the Grantors herein in the northwesterly right-of-way line of Pennsylvania State

Highway Legislative Route 170, Section 23;

THENCE along the northwesterly right-of-way line of said State Highway along a curve to the left having a radius of three thousand eight hundred nineteen and eighty-one-hundredths (3,819.80) feet, an arc length of ninety-one and thirty-five one hundredths (91.35) feet and a chord course of South thirty two degrees West (S 32° W) ninety one and thirty one-hundredths (91.30) feet to a corner;

THENCE continuing along same, South twenty-nine degrees thirty minutes West (S. 29° 30' W.) one hundred sixteen (116.00) feet to a corner;

THENCE still continuing along same, along a curve to the left having a radius of one thousand one hundred ninety-six and twenty-eight one-hundredths (1,196.28) feet, and an arc length of one thousand eighty-two and ninety one-hundredths (1,082.90) feet and a chord course of South five degrees forty-three minutes West (s. 5° 43' W.), one thousand forty-six and twenty one-hundredths (1,046.20) feet to a corner;

THENCE South seventy-one degrees thirty-two minutes West (S.71°32'W.), one hundred forty-five and thirty one-hundredths (145.30) feet to a corner in line of lands now or late of the Central Railroad Company of New Jersey;

THENCE along same by the following ten (10) courses.

(1.) North seventeen degrees fifty-one minutes West (N. 17° 51' W.), two hundred fifty (250.00) feet to a corner;

(2.) North six degrees twenty minutes West (N. 6° 20' W.), six hundred thirty-three and twenty-five one-hundredths (633.25) feet to a corner;

(3.) Along a curve to the right having a radius of six hundred thirty-three and eighty-one one hundredths (633.81) feet, an arc length of fifty-five and thirty nine one-hundredths (55.39) feet and a chord course of South sixty three degrees two minutes West (S 63° 07' W) fifty five and thirty one-hundredths (55.30) feet to a corner;

(4.) South sixty degrees thirty-two minutes West (S. 60° 32' W.), fifty-four and forty-five (54.45) feet to a corner;

(5.) North six degrees twenty minutes West (N. 6° 20' W.), sixty-five and twenty-four one-hundredths (65.24) feet to a corner;

(6.) North sixty degrees thirty-two minutes East (N. 60° 32' E.), twenty-eight and thirty-two one-hundredths (28.32) feet to a corner;

(7.) Along a curve to the left having a radius of five hundred seventy-three and eighty-one one-hundredths (573.81) feet, an arc length of eighty-two and seventy-five one-hundredths (82.75) feet, and a chord course of North fifty-six degrees twenty-four minutes East (N. 56° 24' E.), eighty-two and seventy one-hundredths (82.70) feet to a corner;

(8.) North six degrees twenty minutes West (N. 6° 20' W.), one hundred seven and fourteen one-hundredths (107.14) feet to a corner;

(9.) North forty-six degrees thirty-three minutes West (N. 46° 33' W.), seventy-seven and forty-four one hundredths (77.44) feet to a corner;

(10.) North six degrees twenty minutes West (N. 6° 20' W.), two hundred fifty and fifty-one-hundredths (250.50) feet to a corner in lands quit claimed to the Pennsylvania Gas and Water Company by deed dated June 23, 1966 and recorded in Luzerne County Deed Book 1594, Page 951

THENCE along the same by the following three (3) courses:

(1.) South forty-seven degrees fifty-two minutes East (S. 47° 52' E.), eighty-one and twenty-three one-hundredths (81.23) feet to a corner;

(2.) North seventy-nine degrees forty-seven minutes East (N. 79° 47' E.), four hundred six and ninety-five one-hundredths (406.95) feet to a corner;

(3.) South fifty-four degrees East (S. 54° E.), one hundred seventy-two (172.00) feet to a corner, THE PLACE OF BEGINNING.

CONTAINING 8.452 acres, more or less of surface.

THE SECOND THEREOF:

BEGINNING at the corner of land quitclaimed to Pennsylvania Gas and Water Company (June 23, 1966, Deed Book 1596, page 951) in the southwesterly line of land quitclaimed to the Grantors predecessor in title (November 12, 1964, Deed Book 1577, page 583), said corner being North fifty-four degrees West (N. 54° W.), one hundred eighty-three and sixty one-hundredths (183.60) feet from the intersection of said dividing line with the northwesterly right-of-way line of Pennsylvania State Highway Legislative Route 370, Section 23;

THENCE along said lands of Pennsylvania Gas and Water Company, South seventy-nine degrees forty-seven minutes West (S. 79° 47' W.), four hundred five (405.00) feet to a corner;

THENCE continuing along the same, North forty-seven degrees fifty-two minutes West (N. 47° 52' W.) eighty-two and fifty-eight one-hundredths (82.58) feet to a corner in line of lands of Pennsylvania State Highway Legislative Route 1005, Section 4-1, Also known as Traffic Route 1-81;

THENCE along the same by the following nine (9) courses:

(1.) North fifty-three degrees fifty-two minutes seventeen seconds East (N. 53° 52' 17" E.), one hundred thirteen and twenty-six one-hundredths (113.26) feet to a corner;

(2.) North sixty-two degrees thirty-three minutes East (N. 62° 33'E.), two hundred sixty-three and fifty-nine one-hundredths (263.59) feet to a corner;

(3.) North four degrees eleven minutes forty-five seconds East (N. 4° 11' 45" E.), fifty-two and forty-four one-hundredths (52.44) feet to a corner;

(4.) On a curve to the right a chord course of North fifty-nine degrees fifty-nine minutes four seconds East (N. 59° 59' 04" E.), sixty-one and forty one-hundredths (61.40) feet; with a radius of three thousand seven hundred nineteen and eighty-three one-hundredths (3,719.83) feet, an arc distance of sixty-one and forty-one-hundredths (61.40) feet;

(5.) On a curve to the right, a chord course of North sixty-five degrees thirty minutes thirty-six seconds East (N. 65° 30' 36" E.), forty-four and ninety-one one-hundredths (44.91) feet; with a radius of two hundred fifty-four and ninety-nine one-hundredths (254.99) feet, an arc distance of forty-four and ninety-seven one-hundredths (44.97) feet to a corner;

(6.) North nineteen degrees twenty-six minutes fifteen seconds West (N. 19° 26' 15" W.), sixty-five (65.00) feet to a corner;

(7.) Along an irregular curve to the right having an arc length of two hundred sixty-five and fourteen one-hundredths (265.14) feet, a radius of three hundred nineteen and ninety-nine one-hundredths (319.99) feet, on a chord course of South eighty-five degrees forty-two minutes one second East (S. 85° 42' 01" E.), two hundred fifty-seven and sixty-two one-hundredths (257.62) feet to a point;

(8.) North forty-six degrees forty-seven minutes West (N. 46° 47' W.), forty-one and twelve one-hundredths (41.12) feet;

(9.) South fifty-seven degrees twenty-eight minutes West (S. 57° 28' W.), thirty-six and eleven one-hundredths (36.11) feet to a corner in the southerly line of Hazleton Street in line of lands now or late 2300 Development Company;

THENCE along the same, South thirty-six degrees West (S. 36° W.), three hundred ninety-five (395.00) feet to a corner;

THENCE continuing along same, South fifty-four-degree East (S. 54° E.), sixteen and forty one-hundredths (16.40) feet to a corner, THE PLACE OF BEGINNING.

CONTAINING 2.735 acres, more or less, of surface.

PROPERTY IDENTIFICATION NUMBER J9 NE4 BK3 004 AND 04A

THE THIRD THEREOF:

BEGINNING at the point of intersection of the northerly right-of-way of State Route 309 with the easterly right of way line of Hazleton Street;

THENCE along said line of Hazleton Street by the following two (2) lines:

(1.) North 51° 49' 39" West, 104.57 feet;

(2.) A curve to the left with a radius of 489.97 feet for an arc distance of 300.76 feet to a point on the southerly line of Traffic Route I-81 north bound, said curve having a chord course and distance of North 69° 24' 46" West, 296.06 feet;

THENCE along said line of I-81 by the following three (3) lines;

(1.) North 55° 22' 07" East, 206.83 feet;

(2.) A curve to the right with a radius of 1,487.28 feet for arc distance of 611.92 feet, said curve having a chord course and distance of North 69° 28' 15" East, 607.62 feet;

(3.) South 35° 40' 14" East, 39.68 feet to a point on the aforesaid line of State Route 309;

THENCE along said line of State Route 309 by the two (2) following lines;

(1.) A curve to the left with a radius of 5,844.65 feet for an arc distance of 208.65 feet, said curve having a chord course and distance of South 44° 15' 53" West, 208.64 feet;

(2.) South 43° 13' West, 56.37 feet to a corner common to lands now or formerly of Howard and Ann Lee Gyle, as recorded in Record Book 3004, at 130607;

THENCE along said lands by the following four (4) Lines;

(1.) North 46° 47' West 41.12 Feet.

(2.) South 57° 28' West 36.11 Feet.

(3.) South 43° 13' West 40.00 Feet.

(4.) South 46° 41' East 80.00 feet to a point on the aforesaid line of State Route 309.

THENCE along said line of State Route 309, South 43° 13' West 50.00 feet to a corner common to lands now or

formerly of Donna Powell as recorded in Deed Book 2399 at page 485.

THENCE along said lands by the following three (3) lines:

(1.) North 46° 47' West, 90.00 feet;

(2.) South 43° 13' West, 40.00 feet;

(3.) South 46° 47' East, 90.00 feet to a point on the aforesaid line of State Route 309;

THENCE along said line of State Route 309, South 43° 13' West, 186.40 feet to the POINT OF BEGINNING.

CONTAINING 3.293 acres, more or less.

Subject to a forty (40) foot wide right of way for a UG1 Corporation gas line and a right of way for a Pennsylvania American Water Company water line.

Property Identification No J9 NE1 B3 L23

Being the same premises conveyed to D&J Enterprises LLC by Deed dated April 9, 2008 and recorded April 16, 2008 by 2300 Development Company at Luzerne County Deed Book 3008, Page 86720.

This conveyance is made subject to all exceptions, conditions and reservations as in previous conveyances contained in the chain of title.

Commonly known as: 2300 PA Route 309, Ashley, PA 18706

Parcel Nos.

J9NE4-003-04B

J9NE4-003-04A

J9NE4-003-004

J9NE1-003-023

TOGETHER WITH AND UNDER AND SUBJECT TO all terms, conditions, easements, restrictions, and reservations contained in prior deeds in the chain of title.

TOGETHER with all buildings and improvements thereon.

THE PROPERTY IDENTIFICATION NUMBER of the above-described parcel are 01-J9NE4-003-04A-000 / 25-J9NE4-003-04B-000 / 01-J9NE4-003-004-000 / 01-J9NE1-003-023-000

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

SEIZED AND TAKEN into execution at the suit of SMS Financial Strategic Investments LLC against Colbco LLC.

be sold by:

Brian M. Szumski  
Sheriff of Luzerne County

Janet L. Gold, Esq.  
EISENBERG, GOLD & AGRAWAL, P.C.  
1040 North Kings Highway, Suite 200  
Cherry Hill, New Jersey 08034  
Attorney for Plaintiff

PROPERTY ADDRESS: 2300 PA ROUTE 309, ASHLEY, PA 18706

UPI / TAX PARCEL NUMBER: 01-J9NE4-003-04A-000 / 25-J9NE4-003-04B-000 / 01-J

**Seized and taken into execution to be sold as the property of COLBCO, LLC AND KEVIN M. WALSH, ESP in suit of SMS FINANCIAL STRATEGIC INVESTMENTS, LLC.**

**Attorney for the Plaintiff:**  
EISENBERG, GOLD & AGRAWAL, PC  
CHERRY HILL, NJ 856-330-6200

**BRIAN M. SZUMSKI, Sheriff**  
**LUZERNE COUNTY, Pennsylvania**