WESTMORELAND COUNTY, PENNSYLVANIA
2014
SHERIFF SALES OF REAL ESTATE

ADVANCE COSTS: $2,500.00

JANUARY TERM 2014 AT 9:00 A.M.

Sale.....**JANUARY 6, 2014**
Last Day to File Praecipe for Writ with the Prothonotary..... SEPTEMBER 20, 2013
Last Day for Sheriff to receive Writs..... ...SEPTEMBER 27, 2013

MARCH TERM 2014 AT 9:00 A.M.

Sale.....**MARCH 3, 2014**
Last Day to File Praecipe for Writ with the Prothonotary..... .....NOVEMBER 15, 2013
Last Day for Sheriff to receive Writs..... ... NOVEMBER 27, 2013

MAY TERM 2014 AT 9:00 A.M.

Sale.....**MAY 5, 2014**
Last Day to File Praecipe for Writ with the Prothonotary.....JANUARY 17, 2014
Last Day for Sheriff to receive Writs..... .....JANUARY 24, 2014

JULY TERM 2014 AT 9:00 A.M.

Sale..... **JULY 7, 2014**
Last Day to File Praecipe for Writ with the Prothonotary.....MARCH 21, 2014
Last Day for Sheriff to receive Writs..... MARCH 28, 2014

SEPTEMBER TERM 2014 AT 9:00 A.M.

Sale.....**SEPTEMBER 2, 2014** (TUESDAY)
Last Day to File Praecipe for Writ with the Prothonotary.....MAY 16, 2014
Last Day for Sheriff to receive Writs.....MAY 23, 2014

NOVEMBER TERM 2014 AT 9:00 A.M.

Sale .....**NOVEMBER 10, 2014**
Last Day to File Praecipe for Writ with the Prothonotary..... .....JULY 18, 2014
Last Day for Sheriff to receive Writs..... JULY 25, 2014

SUBJECT TO CHANGE BY ORDER OF COURT

WESTMORELAND COUNTY, PENNSYLVANIA
2014
SHERIFF SALES OF REAL ESTATE

POSTPONEMENT SALE DATES

****

FEBRUARY 3, 2014 AT 9:00 AM

APRIL 7, 2014 AT 9:00 AM

JUNE 2, 2014 AT 9:00 AM

AUGUST 4, 2014 AT 9:00 AM

OCTOBER 6, 2014 AT 9:00 AM

****

NO SALE IS SCHEDULED FOR THE MONTH OF DECEMBER

REAL ESTATE SALES – WESTMORELAND COUNTY

FIRST: ORIGINAL & THREE (3) copies of **SHORT DESCRIPTION** (form attached pg. 4) for HANDBILLS and PUBLISHED NOTICE

SECOND: ORIGINAL & ONE (1) copy of **LONG DESCRIPTION** (format attached pg. 5) for SHERIFF'S DEED

THIRD: A COPY of the **AFFIDAVIT PURSUANT TO RULE 3129.1** shall be delivered to the Sheriff with the information of the name and last known address of the owner(s), reputed owner(s) and Defendant in the Judgment, together with any other person(s) having any record interest, record lien of the property, and any other person(s) having any interest in the property which may be affected by the sale: together with a COPY of the ACT 91 AFFIDAVIT, if applicable. PLEASE FILE ORIGINAL AFFIDAVITS IN THE PROTHONOTARY'S OFFICE.

FOURTH: The ORIGINAL **WRIT OF EXECUTION**

FIFTH: (IF REQUESTED) Copy or copies of the proper NOTICES to be served on the owner(s), reputed owner(s) and Defendant(s) together with a copy or copies of proper NOTICES to be served on any other person(s) having any record interest, record lien on the property, and any other person(s) having any interest in the property which may be affected by the sale. If Writ of Execution is to be served together with other notices, copies must be furnished along with INSTRUCTION SHEET(S), as required for service of a complaint or Writ of Summons. Instruction SHEET(S) as provided by the Sheriff must indicate what papers are to be served or posted and the manner in which service is to be made. Please include a self addressed stamped envelope to mail you a copy of your affidavit of service.

***NOTE: DEPUTIZED SERVICE

A **LETTER OF DEPUTATION** (indicating the FEE AMOUNT and the PAYEE COUNTY) **MUST BE PROVIDED** WITH AN INSTRUCTION SHEET FOR SERVICE AT AN ADDRESS IN ANOTHER COUNTY.

It is your responsibility to contact the Sheriff's Office that is to be deputized to determine the cost of service. This "deputized fee" will then be invoiced from your $2500 advance payment provided.

SIXTH: An **INSTRUCTION SHEET** for POSTING the **HANDBILL** must give the exact location of the property that is being sold. Please include an additional self-addressed stamped envelope if you wish to be notified of the date of the handbill posting.

SEVENTH: **LOCATION OF SALE:** COMMISSIONERS MEETING ROOMS, WESTMORELAND COUNTY COURTHOUSE, 2 NORTH MAIN STREET, GREENSBURG, PA 15601

EIGHTH: **ADVANCE COSTS: $2,500.00**

NINTH: **THREE (3) SELF ADDRESSED STAMPED ENVELOPES**

NOTE: IF PLAINTIFF IS SERVING THE NOTICE OF SALE, A COPY OF THE **AFFIDAVIT MUST BE FILED IN THE SHERIFF'S OFFICE NO LATER THAN 15 DAYS PRIOR TO SALE DATE.** AFFIDAVITS MUST HAVE THE SALE DATE ON THE COVER SHEET. **PLEASE FILE ORIGINAL AFFIDAVITS WITH THE PROTHONOTARY'S OFFICE.**

*** REAL ESTATE SALE EXECUTIONS **MUST CONFORM** TO ALL OF THE ABOVE GUIDELINES, OTHERWISE THEY **WILL BE RETURNED TO THE ATTORNEY.**

***ALL REAL ESTATE SALE EXECUTIONS **MUST CONFORM** TO ALL OF THE ABOVE GUIDELINES, OTHERWISE THEY WILL BE RETURNED TO THE ATTORNEY

THIS IS A SAMPLE ONLY --- USE FORM ON PAGE 5

REAL PROPERTY SHORT DESCRIPTION FORM

TO THE SHERIFF OF WESTMORELAND COUNTY:

KINDLY PREPARE THE HANDBILLS AND PUBLISHED NOTICES BASED ON THE FOLLOWING INFORMATION:

PROPERTY OF: *NAME(S) OF OWNER(S) WHOSE PROPERTY IS BEING SOLD*

EXECUTION NO._____ **JUDGEMENT AMT.**_____

ATTY: *(NAME, ADDRESS AND **PHONE NUMBER**)*

ALL the right, title, and interest and claim of: *(Insert NAME(S) of the DEFENDANT(S) WHOSE PROPERTY IS BEING SOLD)*

of in and to:

MUNICIPALITY: *UNITY TOWNSHIP* *((MUST INDICATE CITY, BOROUGH OR TOWNSHIP)*
****

ADDRESS: *123 LOCUST LANE, WHITNEY, PA*
****

ACREAGE: *(LEAVE BLANK IF NOT APPLICABLE*
****

IMPROVEMENTS: *A RESIDENTIAL DWELLING*
****

DEED: DBV_____**PG#**_____ *(or)* **DEED INSTRUMENT #** _____
****

MORTGAGE: MBV_____**PG#**_____*(or)* **MORTGAGE INSTRUMENT#**_____
****

TAX MAP#_____

****

***NOTICE:** THIS IS A SHERIFF'S OFFICE FORM & NOT INTENDED FOR USE AS AN ATTACHMENT TO ANY OTHER DOCUMENT. THE CONTENT OF THIS DOCUMENT MAY BE AMENDED DURING PROCESSING IN THE SHERIFF'S OFFICE.

_____ _____

DATE **ATTORNEY FOR PLAINTIFF**

***PRINTER PLEASE PUBLISH AREA BETWEEN ASTERISKS ONLY EXCLUDING WORDS UNDERLINED WITH ASTERISKS*
(SUBMIT THIS COMPLETED FORM)

REAL PROPERTY SHORT DESCRIPTION FORM

TO THE SHERIFF OF WESTMORELAND COUNTY:

KINDLY PREPARE THE HANDBILLS AND PUBLISHED NOTICE BASED ON THE FOLLOWING INFORMATION:

PROPERTY OF: _____

EXECUTION NO. _____ **JUDGMENT AMT.:**_____

ATTY: _____
(name, address & phone)

ALL the right, title, interest and claim of: _____

_____

of in and to:

MUNICIPALITY: _____
********** (city, borough or township)

ADDRESS: _____
****

ACREAGE: _____
****

IMPROVEMENTS: _____
****

DEED: DBV_____PG#_____ (or) **DEED INSTRUMENT #** _____
****

MORTGAGE: MBV_____PG#_____(or) **MORTGAGE INSTRUMENT#**_____
****

TAX MAP#_____

****

*****NOTICE:** THIS IS A SHERIFF'S OFFICE FORM & NOT INTENDED FOR USE AS AN ATTACHMENT TO ANY OTHER DOCUMENT. THE CONTENT OF THIS DOCUMENT MAY BE AMENDED DURING PROCESSING IN THE SHERIFF'S OFFICE.

_____ _____
DATE **ATTORNEY FOR PLAINTIFF**

***NOTICE: THIS IS A SHERIFF'S OFFICE FORM & NOT INTENDED FOR USE AS AN ATTACHMENT TO ANY OTHER DOCUMENT. THE CONTENT OF THIS DOCUMENT MAY BE AMENDED DURING PROCESSING IN THE SHERIFF'S OFFICE.

LONG DESCRIPTION FORMAT

TO THE SHERIFF OF WESTMORELAND COUNTY:

KINDLY PREPARE A SHERIFF'S DEED BASED ON THE FOLLOWING INFORMATION:

EXECUTION NO: _____

ALL the right, title, interest and claim of: _____
(Insert Defendant(s) whose interest is being sold

_____**of, in and to:**

*** *(Insert LONG DESCRIPTION of Real Estate)*

*** *(List improvements, if any)*

PROPERTY ADDRESS:

****(Insert Recital)*

PROPERTY TAX MAP NO:

****

*The date and **top** of signature itself must be at least **1½ inches below** the text of the document—this document is scanned for the deed and can not have any markings within the "scan" area.*

Date:_____ _____
Attorney for Plaintiff

NOTE: The LONG description must be a "CLEAN and LEGIBLE" document – free of any additional markings to allow document scanning. The description provided will be of the same quality in your deed. **NO PHOTOCOPIES OR FAXES!**

CONDITIONS OF SALE

ALL SUCCESSFUL BIDDERS SHALL PAY TEN PERCENT (10%) OF THE BID IN CASH, CERTIFIED CHECK OR CASHIERS CHECK MADE PAYABLE TO THE "SHERIFF OF WESTMORELAND COUNTY" AT THE TIME OF SALE, AND THE BALANCE ON OR BEFORE (date certain supplied by Sheriff, WHICH IS 10 DAYS FROM SALE DATE) AT 11:00 A.M., AT WHICH TIME THE PROPERTY WILL BE RESOLD IF THE BALANCE IS NOT PAID; AND IN SUCH CASE, ALL MONIES PAID IN AT ORIGINAL SALE SHALL BE APPLIED TO ANY DEFICIENCY IN THE PRICE AT WHICH PROPERTY IS RESOLD.

HOWEVER, IF THE SALE HAS BEEN PREVIOUSLY ADJOURNED TO THIS DATE, THE SUCCESSFUL BIDDER SHALL PAY THE FULL AMOUNT OF THE BID AT THE TIME OF SALE.

IN ALL CASES, IF THE SUCCESSFUL BIDDER IS THE PLAINTIFF IN THE WRIT OF EXECUTION, THEN THE ENTIRE AMOUNT OF THE BID SHALL BE PAID IN TEN (10) DAYS.

IF PLAINTIFF FAILS TO PAY THE PURCHASE MONEY, THE SHERIFF MAY RETURN THE WRIT "REAL ESTATE UNSOLD" STATING IN THE RETURN THAT THE SALE WAS HELD PURSUANT TO THE WRIT, AND THAT THE PLAINTIFF WAS THE SUCCESSFUL BIDDER AT THE SALE AND THAT THE PLAINTIFF FAILED TO PAY THE BID AND COMPLETE THE SALE AND THE PLAINTIFF SHALL THEREUPON FORFEIT ALL MONEYS ADVANCED BY HIM, WHICH MONEYS SHALL BE APPLIED BY THE SHERIFF FIRST TO COSTS ON THE WRIT AND SECOND TO LIENS IN ORDER OF THEIR PRIORITY.

IN ADDITION TO THE PRICE, ALL SUCCESSFUL BIDDERS ARE BOUND AND REQUIRED TO PAY THE COUNTY REALTY TRANSFER TAX, WHICH IS REQUIRED FOR THE PURPOSE OF RECORDING THE DEEDS.

HOWEVER, PURSUANT TO 72 P.S. 8101-C, ET SEQ., THE 1% PENNSYLVANIA REALTY TRANSFER TAX WILL BE PAID BY THE SHERIFF OUT OF THE PROCEEDS OF THE SALE. PURCHASERS MUST RECORD THEIR OWN DEEDS AND PAY THE NECESSARY RECORDING FEES.

PURSUANT TO PA R.C.P., RULE 3136, NOTICE IS HEREBY GIVEN THAT A SCHEDULE OF DISTRIBUTION WILL BE FILED BY THE SHERIFF NOT LATER THAN THIRTY (30) DAYS FROM THE DATE OF THE SALE AND THAT DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE SCHEDULE UNLESS EXCEPTIONS ARE FILED THERETO, WITHIN TEN (10) DAYS THEREAFTER.

NO FURTHER NOTICE OF THE FILING OF THE SCHEDULE OF DISTRIBUTION IS REQUIRED.

NOTICE

The Sheriff as required by Section 14 of Act No. 77 of 1986, will deduct the cost of Pennsylvania Documentary Stamps from the proceeds of the sale, when applicable.

Please be prepared to include this amount in your bid, as it will be paid prior to any proceeds being distributed. Local transfer tax stamps, if any, must be purchased and affixed by successful bidders.

Sheriff of Westmoreland County

NOTICE

FROM: THE PROTHONOTARY'S OFFICE OF WESTMORELAND COUNTY

If you are filing your Praecipe by mail please be aware that the Prothonotary's Office procedure is to prepare your writ and return it to you. It will be YOUR responsibility to get it to the Sheriff's Office before their deadline.

****

MORTGAGE FORECLOSURE:

When fling a Praecipe for Writ of Execution MORTGAGE FORECLOSURE the Prothonotary's Office will need the following:

1) Praecipe for Writ of Execution **MORTGAGE FORECLOSURE**
2) Two Property Descriptions
3) Filing Fee of $30.00

- -OR- -

TO REISSUE A WRIT OF EXECUTION – IF A WRIT HAS BEEN PREVIOUSLY ISSUED IT MAY BE REISSUED BY FILING A "*PRAECIPE TO REISSUE WRIT OF EXECUTION*". THERE IS NO FEE

NOTE: ORIGINAL WRIT MUST BE IN THE PROTHONOTARY'S POSSESSION AT THE TIME OF REISSUANCE

****

MONEY JUDGMENT:

When filing a Praecipe for Writ of Execution MONEY JUDGMENT the Prothonotary's Office will need the following:

1) Praecipe for Writ of Execution **MONEY JUDGMENT**
2) Two – Writ of Execution Notices
3) Two – Claim for Exemptions
4) Two – Major Exemptions Under Pennsylvania Federal Law
5) Filing fee of $30.00

- - OR - -

TO REISSUE A WRIT OF EXECUTION – IF A WRIT HAS BEEN PREVIOUSLY ISSUED IT MAY BE REISSUED BY FILING A *"PRAECIPE TO REISSUE WRIT OF EXECUTION"* ALONG WITH ITEMS #2, #3, & #4 LISTED ABOVE. THERE IS NO FEE

NOTE: ORIGINAL WRIT MUST BE IN THE PROTHONOTARY'S POSSESSION AT THE TIME OF REISSUANCE

IF ANY QUESTIONS PLEASE CALL PROTHONOTARY'S OFFICE (724) 830-3502