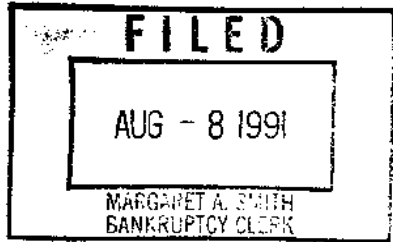


20533

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	:	
	:	
JOSEPH D. FERRO,	:	
	:	CASE NO. 5-91-00822
	:	
Debtor	:	
	:	
FIRST EASTERN BANK, N.A.,	:	
	:	Chapter 13
	:	
Movant	:	
	:	
VS.	:	
	:	
JOSEPH D. FERRO AND JOSEPH J.	:	
HESTON, ESQUIRE, TRUSTEE,	:	
	:	
Respondents	:	
:.....		



STIPULATED ORDER

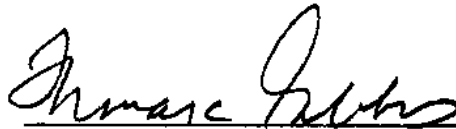
AND NOW THIS 8th day of August, 1991, it is found, based upon Stipulation of Counsel, that:

1. First Eastern Bank, N.A. [the "Bank"] is granted and given relief from the Automatic Stay in this Proceeding effective immediately, subject to the additional terms of this Order, and;
2. The Debtor is directed and ordered not to record any additional bankruptcy filings or proceedings that would affect the Bank's liquidation of real estate collateral, and if recorded, the same will be found to be filed in "bad faith" and be subject to immediate dismissal, and;
3. The Debtor is obligated to market its residential real property owned and secured by the Bank, for sale from now until such time as the property is either sold or disposed of through Sheriff's Real Property Execution Sale, and;
4. First Eastern Bank is permitted to immediately relist this property for Mortgage Foreclosure Sale, the Sale to occur no sooner than November of 1991, and;
5. The Debtor represents and is directed to remove himself from the premises by either (a) the closing date on the real estate if he is able to sell the same, or (b) the date in November of 1991 the Sheriff's Sale occurs as to the real property, and;

NOGI, APPLTON, WEINBERGER & WREN P.C.


6. The Court is advised by Debtor's Counsel and Bank Counsel that their respective clients have agreed to the terms above and authorize them specifically to enter into this Stipulated Order, the same of which will be acknowledged below by their signature.

WHEREFORE, the above being agreed and found to be equitable and just it is made Order of Court.

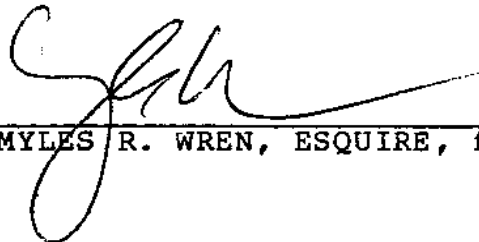


THOMAS C. GIBBONS, BANKRUPTCY JUDGE

AGREED AND ACCEPTED:



JOHN THOMAS, ESQUIRE, for Debtor



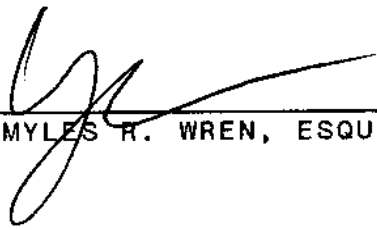
MYLES R. WREN, ESQUIRE, for Bank

FIRST EASTERN BANK, N.A., : IN THE COURT OF COMMON PLEAS  
 Plaintiff : OF COLUMBIA COUNTY  
 VS. : CIVIL ACTION - LAW  
 D. JOSEPH FERRO and :  
 KATHLEEN T. FERRO, his wife, :  
 Defendants : NO. 295 - CIVIL - 1991  
 ::

AFFIDAVIT OF NON-MILITARY SERVICE OF DEFENDANT


COMMONWEALTH OF PENNSYLVANIA :  
 : SS  
 COUNTY OF LACKAWANNA :

MYLES R. WREN, ESQUIRE, being duly sworn according to law, does depose and say that he did, upon request of Plaintiff, investigate the status of the Defendants, with regard to the Soldiers' and Sailors' Civil Relief Act of 1940; and that he made such investigation personally by himself and your affiant avers that the Defendants are not now, nor were they within a period of three months last, in the military or naval service of the United States within the purview of the aforesaid Soldiers' and Sailors' Civil Relief Act of 1940.

  
 \_\_\_\_\_  
 MYLES R. WREN, ESQUIRE

Sworn to and subscribed  
 before me this 15<sup>th</sup> day  
 of January, 1992.

  
 \_\_\_\_\_  
 NOTARY PUBLIC

  
 My Commission Expires \_\_\_\_\_

SHERIFF'S SALE

---

BY VIRTUE OF A WRIT OF EXECUTION NO. 5 OF 1992 E.D. ISSUED OUT OF THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY, TO ME DIRECTED, THERE WILL BE EXPOSED TO PUBLIC SALE, BY VENDUE OR OUTCRY TO THE HIGHEST AND BEST BIDDERS, FOR CASH, IN THE SHERIFF'S OFFICE, COURT HOUSE, BLOOMSBURG, PENNSYLVANIA, COLUMBIA COUNTY, ON

THURSDAY MARCH 26, 1992

10:00 A.M.

---

IN THE FORENOON OF THE SAID DAY, ALL THE RIGHT, TITLE AND INTEREST OF THE DESCRIBED LOTS, PIECES, OR PARCELS OF LAND:

ALL that certain piece and parcel of land situate in North Center Township, Columbia County, Pennsylvania, bounded and described as follows:

BEGINNING at a railroad spike corner located in the center line of Township Route 481, and thence running along the center line of said Township Route 481 the following courses and distances, namely:

SOUTH 86 degrees 43 minutes 40 seconds west, 50.80 feet to a railroad spike:

THENCE south 83 degrees 28 minutes 15 seconds west 107.08 feet to a railroad spike:

THENCE south 66 degrees 21 minutes 22 seconds west 52.48 feet to a railroad spike:

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THENCE along other lands of Paul J. Thomas and Mary M. Thomas, his wife, north 3 degrees 42 minutes 22 seconds east 577.61 feet to an iron pin:

THENCE along other lands of Paul J. Thomas, et ux, and lands of Harvey B. Longenberger and Joan Longenberger, south 85 degrees 29 minutes 30 seconds east 757.90 feet to a railroad spike corner, the place of beginning.

CONTAINING 4.982 acres of land, according to survey and draft made by Frank Beishline, R.S., dated September 30, 1976.

BEING the same premises conveyed to D. Joseph Ferro and Kathleen T. Ferro, his wife, by deed dated December 30, 1981 and recorded December 30, 1981, in Columbia County Recorder of Deeds Office in Deed Book 305, Page 16.

SHERIFF'S SALE PAGE 2 OF 2

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.

SEIZED AND TAKEN into execution at the suit of FIRST EASTERN BANK, N.A. against D. Joseph Ferro and Kathleen T. Ferro, his wife.

TERMS OF SALE: Ten (10%) percent cash or certified check TIME OF SALE, balance cash or certified check within eight (8) days after Sale.

Said premises to be sold by the Sheriff of Columbia County.

HARRY A. ROADARMEL, Jr.  
Sheriff of Columbia County

Myles R. Wren, Esquire  
Attorney for Plaintiff

SHERIFF'S SALE

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AU 85,426

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