

REAL ESTATE INSTRUCTIONS INDIANA COUNTY SHERIFF

825 PHILADELPHIA STREET
INDIANA PA 15701
724-465-3930

In order to expedite the handling of a **REAL ESTATE EXECUTION**, I would like you to submit the needed information in the form of the **enclosed examples**. The use of these forms will comply With PRCP 3129.1 and 3129.2 It should speed up the procedures.

A **contact person** assigned to the case should be noted with the paperwork submitted. This will help to resolve any problems in a more efficient and timelier manner.

1. Cover letter with service instructions and **three** self-addressed stamped envelopes.
2. Lien holders to be notified by plaintiff's attorney. Affidavit of service to lien holders to be filed in prothonotary's office before date of sale. Lien notification must include domestic relations office in the county in which the defendants are located.
3. For cost-cutting purposes a brief description of the property is required for advertising.
NOTE: **THE DESCRIPTION MUST INCLUDE: PHYSICAL ADDRESS, TAX PARCEL NUMBER, DEED BOOK VOLUME AND PAGE NUMBER AND/OR INSTRUMENT NUMBER.**

Following is a brief description **example**, which can be used for publication purposes: JUST CHANGE INFORMATION IN **BOLD**:

ALL THOSE CERTAIN PIECES, PARCELS, OR LOTS OF LAND SITUATE IN THE **TOWNSHIP OF CHERRYHILL**, COUNTY OF INDIANA, COMMONWEALTH OF PENNSYLVANIA. BEING MORE FULLY DESCRIBED IN DEED BOOK VOLUME **240**, PAGE **349**. TAX PARCEL **ID#32-090.01**. ALSO KNOWN AS **1524 TOWER HILL RD, CLYMER, PENNSYLVANIA, 15728**.

4. A full property description is also needed for preparation of a new deed and should be Exhibit "A".
5. A **\$2,500.00**** advance is required with all real estate executions.
Note that the fee will be **\$3,500.00** starting **May 6, 2024**
6. If the address of property was a RR# or PO box, the new 911 address is required. Executions will be returned if the address is not updated.
7. Sheriff sales are scheduled approximately eight (8) weeks from date received. **DO NOT FILL IN SALE DATES**. WHEN SALE IS SCHEDULED A CONFIRMATION COPY WILL BE SENT TO YOUR OFFICE.
8. One copy of notices for each defendant plus one copy for the Sheriff Office of all documents.

****NOTE:** PLEASE MAKE SURE ALL OF THE ABOVE IS WITH YOUR PRAECIPE FOR WRIT OF EXECUTION WHEN FILING WITH THE PROTHONOTARY.

S&T BANK

PLAINTIFF

IN THE COURT OF COMMON PLEAS
INDIANA COUNTY PA

VS

CIVIL ACTION – LAW
NO. 0000 CD 2019

JOHN DOE AND JANE DOE
DEFENDANTS

IN MORTGAGE FORECLOSURE

Sample

AFFIDAVIT PURSUANT TO RULE 3129.01

ABC BANK

PLAINTIFF, IN THE ABOVE ACTION, SETS FORTH AS OF THE DATE THE PRAECIPE FOR THE WRIT OF EXECUTION HAS FILED THE FOLLOWING INFORMATION CONCERNING THE REAL PROPERTY LOCATED AT **100 FIRST STREET, ANY TOWN, PA.**

1. NAME AND ADDRESS OF OWNER (S) OR REPUTED OWNER (S).

| | |
|---------------|---------------|
| JOHN DOE | JANE DOE |
| 100 FIRST ST. | 100 FIRST ST. |
| ANY TOWN PA | ANY TOWN PA |

2. NAME AND ADDRESS OF THE DEFENDANT (S) IN THE JUDGMENT:

| | |
|---------------|---------------|
| JOHN DOE | JANE DOE |
| 100 FIRST ST. | 100 FIRST ST. |
| ANY TOWN PA | ANY TOWN PA |

3. NAME AND LAST KNOWN ADDRESS OF EVERY JUDGMENT CREDITOR WHOSE JUDGEMENT IS A RECORD LIEN ON THE REAL PROPERTY TO BE SOLD:

| | | | |
|-------------|-------------|--------------|------------------|
| SUE SMITH | CHUCK JONES | PINE TWP | DEPT PUB WELFARE |
| 10 WEST ST. | 1 EAST ST. | PO BOX 570 | PO BOX 1001 |
| INDIANA, PA | CLYMER, PA | HEILWOOD, PA | HARRISBURG, PA |

4. NAME AND ADDRESS OF THE LAST RECORDED HOLDER OF EVERY MORTGAGE OF RECORD.

| | | |
|--------------|--------------------------------|-------------|
| XYZ BANK | 1 ST UNITED FEDERAL | LAUREL BANK |
| 50 MAIN ST. | MAIN ST. | 585 RUN RD. |
| SHELOCTA, PA | ARMAGH, PA | ERIE, PA |

5. NAMES AND ADDRESS OF EVERY OTHER PERSON WHO HAS ANY RECORD LIEN ON THEIR PROPERTY.

NONE

6. NAME AND ADDRESS OF EVERY OTHER PERSON WHO HAS ANY RECORD INTEREST IN OR RECORD LIEN ON THE PROPERTY AND WHOSE INTEREST MAY BE AFFECTED BY SALE.

NONE

7. NAME AND ADDRESS OF EVERY OTHER PERSON OF WHOM THE PLAINTIFF HAS KNOWLEDGE WHO HAS ANY INTEREST IN THE PROPERTY, WHICH MAY BE AFFECTED BY THE SALE.

NONE

THE ADDRESSES LISTED ABOVE ARE THE LAST KNOWN REASONABLE ASCERTAINABLE ADDRESS AFTER A REASONABLE SEARCH CONDUCTED BY THE PLAINTIFF.

I VERIFY THAT THE STATEMENTS MADE IN THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY PERSONAL KNOWLEDGE, INFORMATION AND BELIEFS. I UNDERSTAND THAT FALSE STATEMENTS HEREIN ARE MADE SUBJECT TO PENALTIES OF 18 PA. C.S. SECTION 4904 RELATING TO UNSWORN FALSIFICATIONS TO AUTHORITIES.

DATE:

ATTORNEY FOR PLAINTIFF

BY:

ATTORNEY FOR PLAINTIFF

ABC BANK

IN THE COURT OF COMMON PLEAS
INDIANA COUNTY PA

PLAINTIFF

VS

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JOHN DOE AND JANE DOE

DEFENDANT

IN MORTGAGE FORECLOSURE

Sample

NOTICE OF SHERIFF SALE OF REAL PROPERTY

TO: **JOHN DOE AND JANE DOE DEFENDANTS.** YOUR HOUSE (REAL ESTATE) AT **100 FIRST STREET, ANY TOWN, PA** IS SCHEDULED TO BE SOLD AT SHERIFF SALE ON _____, 2024, AT 2:00 PM IN THE INDIANA COUNTY COURTHOUSE LOCATED IN INDIANA, PENNSYLVANIA, TO ENFORCE THE COURT JUDGMENT OBTAINED BY THE ABOVE-NAMED PLAINTIFF AGAINST YOU.

NOTICE OF OWNERS RIGHTS

YOU MAY BE ABLE TO PREVENT THIS SHERIFF SALE. TO PREVENT THIS SHERIFF SALE, YOU MUST TAKE IMMEDIATE ACTION:

THE SALE WILL BE CANCELLED IF YOU PAY TO THE ABOVE-NAMED PLAINTIFF THE AMOUNT OF THE JUDGMENT PLUS COSTS OR THE BACK PAYMENTS, LATE CHARGES, COSTS AND REASONABLE ATTORNEY FEES DUE. TO FIND OUT HOW MUCH YOU MUST PAY; YOU MAY CALL _____ ESQUIRE AT **000-000-0000**

YOU MAY BE ABLE TO STOP THE SALE BY FILING A PETITION ASKING THE COURT.

TO STRIKE OR OPEN THE JUDGMENT, IF THE JUDGMENT WAS IMPROPERLY ENTERED, YOU MAY ALSO ASK THE COURT TO POSTPONE THE SALE FOR GOOD CAUSE.

YOU MAY BE ABLE TO STOP THE SHERIFF SALE THROUGH OTHER LEGAL PROCEEDINGS.

YOU MAY NEED AN ATTORNEY TO ASSERT YOUR RIGHTS. THE SOONER YOU CONTACT ONE, THE MORE CHANCE YOU WILL HAVE STOPPING THE SALE. (SEE NOTICE BELOW TO FIND OUT HOW TO OBTAIN AN ATTORNEY.)

S&T BANK
PLAINTIFF

IN THE COURT OF COMMON PLEAS
INDIANA COUNTY PA

VS

CIVIL ACTION – LAW
NO. 0000 CD 2019

JOHN DOE AND JANE DOE
DEFENDANT

IN MORTGAGE FORECLOSURE

NOTICE PURSUANT TO R.C.P. 3129.01 OF
THE SUPREME COURT OF PENNSYLVANIA

TO THE FOLLOWING DEFENDANTS AND OWNERS:

JOHN DOE AND JANE DOE

THIS NOTICE IS GIVEN TO YOU AS OWNERS AND DEFENDANTS IN AN EXECUTION PROCEEDINGS BROUGHT BEFORE THE SHERIFF IN INDIANA COUNTY, PENNSYLVANIA, BY _____, PLAINTIFF, RELATIVE TO THE FOLLOWING JUDGMENT AND EXECUTION NO. **0000 CD 2024**.

THE PROPERTY TOGETHER WITH ITS LOCATION AND IMPROVEMENTS ARE DESCRIBED IN EXHIBIT "A" ATTACHED TO THIS NOTICE: SAID PREMISES WILL BE OFFERED BY THE SHERIFF FOR SALE ACCORDING TO THE INFORMATION SET FORTH IN THIS NOTICE.

THE SHERIFF SALE OF PROPERTY WILL BE HELD

ON:

AT: **2:00 PM**

IN: THE INDIANA COUNTY COURTHOUSE, LOCATED IN INDIANA, PENNSYLVANIA

A SCHEDULE OF DISTRIBUTION WILL BE FILED BY THIS SHERIFF ON

AND DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE SCHEDULE UNLESS EXCEPTIONS ARE FILED THERETO WITHIN TEN (10) DAY FROM THE DATE OF FILING.

ATTORNEY FOR PLAINTIFF ESQ

IF THE SHERIFF SALE IS NOT STOPPED, YOUR PROPERTY WILL BE SOLD TO THE HIGHEST BIDDER. YOU MAY FIND OUR PRICE BID BY CALLING THE SHERIFF AT THE COUNTY COURTHOUSE.

YOU MAY BE ABLE TO PETITION THE COURT TO SET ASIDE THE SALE IF THE BID PRICE WAS GROSSLY INADEQUATE COMPARED TO THE VALUE OF YOUR PROPERTY.

THE SALE WILL GO THROUGH ONLY IF THE BUYER PAYS THE SHERIFF THE FULL AMOUNT DUE IN THE SALE. TO FIND OUT IF THIS HAS HAPPENED, YOU MAY CALL THE SHERIFF AT THE COUNTY COURTHOUSE, WHOSE NUMBER IS LISTED BELOW.

IF THE AMOUNT DUE FROM THE BUYER IS NOT PAID TO THE SHERIFF, YOU WILL REMAIN THE OWNER OF THE PROPERTY AS IF THE SALE NEVER HAPPENED.

YOU HAVE A RIGHT TO REMAIN IN THE PROPERTY UNTIL THE FULL AMOUNT IS PAID TO THE SHERIFF AND THE SHERIFF GIVES A DEED TO THE BUYER. AT THAT TIME, THE BUYER MAY BRING LEGAL PROCEEDINGS TO EVICT YOU.

YOU MAY BE ENTITLED TO SHARE OF THE MONEY WHICH WAS PAID FOR YOUR HOUSE. THE SHERIFF OF INDIANA COUNTY WILL FILE A SCHEDULE OF DISTRIBUTION OF THE MONEY BID FOR YOUR HOUSE. THIS SCHEDULE WILL STATE WHO WILL BE RECEIVING THAT MONEY. THE MONEY WILL BE PAID OUT IN ACCORDANCE WITH THIS SCHEDULE UNLESS EXCEPTIONS (REASONS WHY PROPOSED DISTRIBUTION IS WRONG) ARE FILED WITHIN TEN (10) DAYS AFTER THE SALE DATE.

YOU MAY ALSO HAVE OTHER RIGHTS AND DEFENSES, OR WAYS OF GETTING YOUR HOUSE BACK, IF YOU ACT IMMEDIATELY AFTER THE SALE.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE LISTED BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
2nd FLOOR COURTHOUSE
INDIANA PA 15701

TELEPHONE: 724-465-3955

THE SHERIFF DEPARTMENT PHONE NUMBER IS 724-465-3930

ESQ.
ATTORNEY FOR PLAINTIFF

EXHIBIT A

Sample

LONG LEGAL DESCRIPTION

ADDITIONAL INSTRUCTIONS

1. After the WRIT OF EXECUTION is received, a **Deed Instruction Sheet** will be sent to you to fill out and return to our office. These instructions will be used to fill out the deed if property goes back to Plaintiff at the sale. This must be returned **before** the sale. A confirmation letter with the sale date will also be in this mailing for your records.
2. After Lien Holders have been served, a copy of the PROOF OF SERVICE TO LIEN HOLDERS which is filed with the prothonotary must be received in this office before the sale.
3. No more than thirty days after the sale a SCHEDULE OF DISTRIBUTION will be faxed to the Plaintiff's Attorney or the Attorney of the Third-Party Buyer which ever applies. The balance due and the date it is needed will be noted on the distribution.
4. Whether or not there is a balance due on the distribution, 2 copies of the REALTY TRANSFER TAX STATEMENT OF VALUE must be filled out and sent to this office before the deed can be filed.