

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

Kinsley Construction, Inc.

Judgment No. 2020-NO-005130

versus

120 York, LLC

PRAECIPE FOR WRIT OF EXECUTION UPON A CONFESSED JUDGMENT

To the Prothonotary:

Issue a writ of execution upon a judgment entered by confession in the above matter.

- 1. Directed to the Sheriff of York County, Pa;
2. against 120 York, LLC, defendant; and
3. and against, garnishee;
4. and index this writ
(a) against 120 York, LLC, defendant and
(b) against, garnishee;

as a lis pendens

against the real property of the Defendant(s) in the name of the Garnishee(s) as follows:

210 York Street, York, City of York, County of York, Pennsylvania 17403

(if space is insufficient attach extra sheets)

- 5. Amount due \$ 13,942,747.46
Interest from 09/16/2020 \$
Attorneys' fees** \$

(Costs to be added)

**Where judgment has been entered under Rule 2951(a), attorneys' fees may be included if they are authorized in the instrument and there has been a record appearance of counsel at any stage of the proceedings.

RECEIVED YORK COUNTY PROTHONOTARY 2020 OCT 13 PM 3:35 JUDICIAL CENTER YORK PA

Handwritten signature/initials

BARLEY SNYDER
Paul W. Minnich, Esquire
Court I.D. No. 74453
Scott F. Landis, Esquire
Court I.D. No. 69798
100 East Market Street
York, PA 17401
717.846-8888

Attorney for Plaintiff
Kinsley Construction, Inc.

KINSLEY CONSTRUCTION, INC., <i>Plaintiff</i>	COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA CIVIL ACTION – LAW
v.	
120 YORK, LLC, <i>Defendant</i>	No. 2020-NO-005130

WRIT OF EXECUTION (MONEY JUDGMENT)

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF YORK
TO THE SHERIFF OF YORK COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs against 120 York, LLC, Defendant.

(1) You are directed to levy upon the property of the defendant, 120 York, LLC, and to sell its interest therein: 210 York Street, York, City of York, County of York, Pennsylvania 17403.

(2) You are directed also to attach the property of the defendant not levied upon in the possession of N/A, as garnishee
(Specifically described property)

and to notify the garnishee-

- (a) an attachment has been issued;
 - (b) except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the Defendant and from delivering any property of the Defendant or otherwise disposing thereof;
 - (c) the attachment shall not include:
 - (i) the first \$10,000 of each account of the Defendant with a bank or other financial institution containing any funds which are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.
 - (ii) each account of the Defendant with a bank or other financial institution in which funds on deposit exceed \$10,000 at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.
 - (iii) any funds in an account of the Defendant with a bank or other financial institution that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the Defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (3) If property of the Defendant not levied upon and subject to attachment is found in the

possession of anyone other than the named Garnishee, you are directed to notify such person that he or she has been added as a garnishee and is enjoined as above stated.

Amount Due \$13,942,747.46
Interest after September 16, 2020
Costs to be added \$ _____

Prothy Fees
\$ 117-

York County Prothonotary

By: *Allison Blew*
Deputy Prothonotary

[Handwritten signature]

(SEAL)
Date: *10-13-20*

Certification

I certify that

- a) This praecipe is based upon a judgment entered by confession, and
(Delete four of the following paragraphs which are inapplicable.)
- b)
- c) Notice will be served at least thirty days prior to the date of the sheriff's sale of real property pursuant to Rule 2958.2.
- d)

Barley Snyder

ATTORNEYS AT LAW

126 EAST KING STREET
LANCASTER, PA 17602
TEL 717.299.5201 | FAX 717.291.4660
WWW.BARLEY.COM

Jeanne L. Rachor, Paralegal
Direct Dial Number: 717.399.2165
E-mail: jrachor@barley.com

October 13, 2020

Allison Blew, Prothonotary
York County Judicial Center
45 North George Street
York, PA 17401

Re: **Kinsley Construction, Inc. v. 120 York, LLC**
York County Docket No. 2020-NO-005130

RECEIVED
YORK COUNTY PROTHONOTARY
2020 OCT 13 PM 3:35
JUDICIAL CENTER YORK PA

Dear Ms. Blew:

Enclosed please find the following documents necessary for scheduling a sheriff's sale:

1. Praecipe for Writ of Execution Upon a Confessed Judgment and Certification;
2. Writ of Execution;
3. Affidavit Pursuant to Rule 3129.1;
4. Notice of Sheriff's Sale of Real Property;
5. Notice of Sheriff's Sale;
6. Notice Under Rule 2958.2;
7. Legal description (long and short forms); and
8. Barley Snyder's check in the amount of \$49 for the filing fee.

Kindly time-stamp the copies and return them to me in the enclosed self-addressed stamped envelope. Please forward the Writ to the Sheriff together with the packet of documents with Sheriff Instructions along with the check for \$3,000.

Should you have any questions or need anything else, please contact me.

Sincerely yours,



Jeanne L. Rachor, Pa.C.P.
PA Certified Paralegal

JLR/8122423.1
Enclosures