

00-723-CD  
WELLS FARGO HOME MORTGAGE, INC. v/k/a -vs- JAMES E. RUANE, JR.  
et al

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
TWO PENN CENTER PLAZA, SUITE 900  
PHILADELPHIA, PA 19102  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

WELLS FARGO HOME MORTGAGE, INC.,  
F/K/A NORWEST MORTGAGE, INC.  
5024 PARKWAY PLAZA BOULEVARD  
CHARLOTTE, NC 28217

COURT OF COMMON PLEAS  
CIVIL DIVISION

Plaintiff

v.

TERM

NO. 00-723-CJ

JAMES E. RUANE, JR.  
THELMA C. RUANE  
13300 TWINWOOD LANE, #1719  
ORLANDO, FL 32837

CLEARFIELD COUNTY

Defendant(s)

**CIVIL ACTION - LAW**  
**MORTGAGE FORECLOSURE**

**NOTICE**

\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY AND THIS DEBT WAS NOT REAFFIRMED, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY. \*\*

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you. 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 SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641

**FILED**

JUN 19 2000

William A. Shaw  
Prothonotary

1. Plaintiff is

WELLS FARGO HOME MORTGAGE, INC.,  
F/K/A NORWEST MORTGAGE, INC.  
5024 PARKWAY PLAZA BOULEVARD  
CHARLOTTE, NC 28217

2. The name(s) and last known address(es) of the Defendant(s) are:

JAMES E. RUANE, JR.  
THELMA C. RUANE  
13300 TWINWOOD LANE, #1719  
ORLANDO, FL 32837

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 2/6/97 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1818, Page 488.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 3/1/00 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith. A copy of such notice is attached as Exhibit "A."

6. The following amounts are due on the mortgage:

Principal Balance	\$114,943.74
Interest	2,677.90
2/1/00 through 6/1/00	
(Per Diem \$21.95)	
Attorney's Fees	4,000.00
Cumulative Late Charges	117.06
2/6/97 to 6/1/00	
Cost of Suit and Title Search	<u>550.00</u>
Subtotal	122,288.70
Escrow	
Credit	0.00
Deficit	438.40
Subtotal	438.40
TOTAL	\$122,727.10

7. The attorney's fees set forth above are in conformity with the Mortgage documents and Pennsylvania Law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.00.

9. The Combined Notice has been sent to the Defendant(s) by regular and certified mail as required by 35 P.S. §1680.403c on the date(s) set forth in the true and correct copy of such notice(s) attached hereto as Exhibit "A."

10. This action does not come under Act 91 of 1983 because the mortgaged premises is not the principal residence of the Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$122,727.10, together with interest from 6/1/00 at the rate of \$21.95 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

  
/s/ Frank Federman  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

Wells Fargo Home Mortgage, Inc.  
P.O. Box 1225  
Charlotte, NC 28201-1225

May 8, 2000

4564156 /000085/591Act91  
James E. Ruane, Jr.  
Apt. 1719  
13300 Twinwood Ln.  
Orlando FL 32837

RE: Wells Fargo Home Mortgage, Inc. Loan Number 4564156

Mortgagor(s): James E. Ruane, Jr.  
Thelma C. Ruane  
Mortgaged Premises: 326 Treasure Lake  
DuBois, PA 15801

## ACT 91 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this Notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll free at 1-800-342-2397. (Persons with impaired hearing can call (717) 780-1869).

This Notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICACION EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACION OBTENGA UNA TRADUCCION INMEDIATAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRESTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.

**EXHIBITA**

Wells Fargo Home Mortgage, Inc.  
P.O. Box 1225  
Charlotte, NC 28201-1225

May 8, 2000

4564156 /000087/591Act91  
Thelma C. Ruane  
Apt. 1719  
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May 8, 2000

James E. Ruane, Jr.  
326 Treasure Lake  
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4564156 /000086/591Act91

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**EXHIBIT A**

Wells Fargo Home Mortgage, Inc.  
P.O. Box 1225  
Charlotte, NC 28201-1225

May 8, 2000

Thelma C. Ruane  
326 Treasure Lake  
DuBois PA 15801

4564156 /000088/591Act91

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**EXHIBIT A**

HOMEOWNER'S NAME(S):	James E. Ruane, Jr. Thelma C. Ruane
PROPERTY ADDRESS:	326 Treasure Lake DuBois, PA 15801
LOAN ACCT. NO.:	4564156
ORIGINAL LENDER:	
CURRENT LENDER/SERVICER:	WELLS FARGO HOME MORTGAGE, INC.

### HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM

**YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE  
WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND  
HELP YOU MAKE FUTURE MORTGAGE PAYMENTS**

IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:

- IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL.
- IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND
- IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

**TEMPORARY STAY OF FORECLOSURE** -- Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face-to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice. **THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.**

**CONSUMER CREDIT COUNSELING AGENCIES** -- If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take action against you for thirty (30) days after the date of this meeting. **The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.**

**APPLICATION FOR MORTGAGE ASSISTANCE** -- Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting.

**YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.**

**AGENCY ACTION** -- Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after it receives your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.**

(If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)

## **HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date).**

**NATURE OF THE DEFAULT** -- The MORTGAGE debt held by the above lender on your property located at: 326 Treasure Lake  
DuBois, PA 15801

IS SERIOUSLY IN DEFAULT because:

A. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS for the following months and the following amounts are now past due:

March 2000 - May 2000 \$3,170.25

Other charges (explain/itemize):	Late Charges	\$463.21
<u>Other Fees (if applicable)</u>		<u>\$0.00</u>
<b>TOTAL AMOUNT PAST DUE:</b>		<b>\$3,633.46</b>

B. YOU HAVE FAILED TO TAKE THE FOLLOWING ACTION

**HOW TO CURE THE DEFAULT** -- You may cure the default within THIRTY (30) DAYS of the date of this notice BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS \$ 3,633.46, PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cash, cashier's check, certified check or money order made payable and sent to:

WELLS FARGO HOME MORTGAGE, INC.  
1 HOME CAMPUS  
X2501-01H  
DES MOINES, IOWA 50328

You can cure any other default by taking the following action within THIRTY (30) DAYS of the date of this letter:

**IF YOU DO NOT CURE THE DEFAULT** -- If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, the lender intends to exercise its rights to accelerate the mortgage debt. This means that the entire outstanding balance of this debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS, the lender also intends to instruct its attorneys to start legal action to foreclose upon your mortgaged property.

**IF THE MORTGAGE IS FORECLOSED UPON** -- The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to its attorneys, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to pay all reasonable attorney's fees actually incurred by the lender even if they exceed \$50.00. Any attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.

**OTHER LENDER REMEDIES** -- The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

**EXHIBITA**

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE** -- If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, plus any late or other charges then due, reasonable attorney's fees and costs connected with the foreclosure sale and any other costs connected with the Sheriff's Sale as specified in writing by the lender and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this notice will restore your mortgage to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE** -- It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be approximately six (6) months from the date of this Notice. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender.

**HOW TO CONTACT THE LENDER:**

Name of Lender:	Wells Fargo Home Mortgage, Inc.
Address:	5024 Parkway Plaza Blvd.
	Charlotte, NC 28217
Phone Number:	1-800-766-0987
Fax Number:	704-423-4016
Contact Person:	Jerry Wagner

**EFFECT OF SHERIFF'S SALE** -- You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

**ASSUMPTION OF MORTGAGE** -- You        may or        may not sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

**YOU MAY ALSO HAVE THE RIGHT:**

- TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT.
- TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.
- TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)
- TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.
- TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.
- TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

APPENDIX C  
PENNSYLVANIA HOUSING FINANCE AGENCY  
HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM  
CONSUMER CREDIT COUNSELING AGENCIES

CLEARFIELD COUNTY

Keystone Economic Development Corporation  
1954 Mary Grace Lane  
Johnstown, PA 15901  
(814) 535-6556  
FAX# (814) 539-1688

Indiana Co Community Action Program  
827 Water Street, Box 187  
Indiana, PA 15701  
(724) 465-2657  
FAX# (724) 465-5118

CCCS of Western Pennsylvania, Inc.  
217 E. Plank Road  
Altoona, PA 16602  
(814) 944-8100  
FAX# (814) 944-5747

CCCS of Northeastern PA  
1631 S Atherton St  
Suite 100  
State College, PA 16801  
(814) 238-3668  
FAX# (814) 238-3669

CCCS of Western Pennsylvania  
219-A College Park Plaza  
Johnstown, PA 15904  
(814) 539-6335

The Pennsylvania Housing Finance Agency can be reached TOLL FREE at 1 (800) 342-2397.

**EXHIBIT A**

**LEGAL DESCRIPTION**

All that certain lot or piece of ground with the buildings and improvements thereon erected, being known as 326 TREASURE LAKE, DUBOIS, PA 15801, and being further described on that certain Deed dated 1/31/97 and recorded on 2/6/97 in the Office of the Recorder of Deeds in CLEARFIELD County in Deed Book No. 1818, Page 484.

Parcel No.: (1) 128-D2-23-42-21 & (2) 128-D2-23-41-21

BEING known as 326 TREASURE LAKE, DUBOIS, PA 15801

VERIFICATION

LEE MANNING hereby states that s/he is  
ASSISTANT VICE-PRESIDENT of WELLS FARGO BANK  
mortgage servicing agent for Plaintiff in this matter, that s/he is  
authorized to take this Verification, and that the statements  
made in the foregoing Civil Action in Mortgage Foreclosure are  
true and correct to the best of her/his knowledge, information and  
belief. The undersigned understands that this statement is made  
subject to the penalties of 13 Pa. C. S. Sec. 4904 relating to  
unsworn falsification to authorities.

Lee Manning  
LEE MANNING, ASST. VICE-PRESIDENT

DATE: 6/14/00

**FILED**

100-1925-1  
JUN 19 2000  
William A. Shaw, atty  
Prothonotary  
Federman  
per \$80.00

3cc Shrg.



235 SOUTH 13TH STREET  
PHILADELPHIA, PA 19107  
PHONE: (215) 546-7400  
FAX: 215-985-0169

Philadelphia  
Association of  
Professional  
Process Servers



### AFFIDAVIT OF SERVICE

PLAINTIFF(S) Wells Fargo Home Mortgage	CASE NO. 00-723-C0	DATE RECEIVED July 14, 2000
DEFENDANT(S) James E. Ruane	Court of Common Pleas of Clearfield County	
SERVE AT  13300 Twinwood Lane #1719 Orlando FL 32837	Type of Service Civil Action Mortgage Foreclosure	

SERVE BY: July 26, 2000

COMPANY CONTROL NO. CS136741A

REFERENCE NO.

Accepted By:

Served and made known to James E. Ruane

on the 22<sup>nd</sup> day of July, 2000, at 12:40, o'clock, M.,  
at 13300 Twinwood Ln Orlando, FL 32837

**FILED**

AUG 07 2000

Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.  
 Adult family member with whom said Defendant(s) reside(s). Relationship is  
 Adult in charge of Defendant's residence who refused to give name or relationship.  
 Manager/Clerk of placing of lodging in which Defendant(s) reside(s).  
 Agent or person in charge of Defendant's office or usual place of business.  
 Posted  
 Other

William A. Shaw  
Prothonotary

DESCRIPTION AGE 46 HEIGHT 6'2" WEIGHT 190 RACE W SEX M

On the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.,  
Defendant not found: \_\_\_\_\_ Moved \_\_\_\_\_ Unknown \_\_\_\_\_ No Ans \_\_\_\_\_ Vacant \_\_\_\_\_ Other \_\_\_\_\_

### DEPUTIZED SERVICE

Now, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, I do hereby depelize the Sheriff of \_\_\_\_\_ County to serve this \_\_\_\_\_ Summons \_\_\_\_\_ Complaint \_\_\_\_\_ Other \_\_\_\_\_ and make return therof and according to Law.

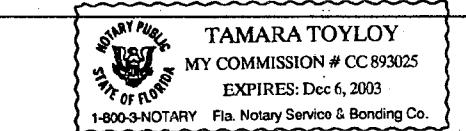
By (Competent Adult) \_\_\_\_\_ County Sheriff's Check \$ \_\_\_\_\_

\*\*\* Special Instructions \*\*\*  
Routine 1 of 2

#### NAME OF SERVER

Process Server

being duly sworn according to law,  
deposes and says that he/she is process server herein named; and  
that the facts herein set forth above are true and correct to the best of  
their knowledge, information and belief.



Sworn to & subscribed before me this

24<sup>th</sup> day of July 2000

Sheriff \_\_\_\_\_ Process Server / Competent Adult *Paul Andrew*

ATTEST Proth. Date

PRO PROTHY

May 28, 2000

DATE

Law Firm Federman & Phelan  
Attorney's Name Frank Federman, Esquire  
Address Suite 900 Two Penn Center Plaza  
Philadelphia PA 19102

Telephone # 563-7000 Identification # 12248

**FILED**

AUG 8 2000  
M 12:46 PM '00  
William A. Shaw  
Prothonotary  
*for*



235 SOUTH 13TH STREET  
PHILADELPHIA, PA 19107  
PHONE: (215) 546-7400  
FAX: 215-985-0169

Philadelphia  
Association of  
Professional  
Process Servers



### AFFIDAVIT OF SERVICE

PLAINTIFF(S) Wells Fargo Home Mortgage	CASE NO. 00-723-C0	DATE RECEIVED July 14, 2000
DEFENDANT(S) Thelma C. Ruane	Court of Common Pleas of Clearfield County	
SERVE AT  13300 Twinwood Lane #11719 Orlando FL 32837	Type of Service Civil Action Mortgage Foreclosure	
		SERVE BY: July 26, 2000

COMPANY CONTROL NO. CS136749A  
REFERENCE NO.

Accepted By:

Served and made known to Thelma C. Ruane

on the 22nd day of July, 2000, at 12:40 o'clock, M.,  
at 13300 Twinwood Ln # 11719 Orlando, FL 32837

FILED

Commonwealth of Pennsylvania, in the manner described below:

- Defendant(s) personally served.
- Adult family member with whom said Defendant(s) reside(s). Relationship is
- Adult in charge of Defendant's residence who refused to give name or relationship.
- Manager/Clerk of placing of lodging in which Defendant(s) reside(s).
- Agent or person in charge of Defendant's office or usual place of business.
- Posted
- Other

AUG 07 2000

William A. Shaw  
Prothonotary

DESCRIPTION AGE 33 HEIGHT 4'8" WEIGHT 85 RACE Asian SEX W

On the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.,  
Defendant not found: \_\_\_\_\_ Moved \_\_\_\_\_ Unknown \_\_\_\_\_ No Ans \_\_\_\_\_ Vacant \_\_\_\_\_ Other \_\_\_\_\_

### DEFUTIZED SERVICE

Now, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, I do hereby depelize the Sheriff of \_\_\_\_\_ County to serve this \_\_\_\_\_ Summons \_\_\_\_\_ Complaint \_\_\_\_\_ Other \_\_\_\_\_ and make return therof and according to Law.

By (Competent Adult)

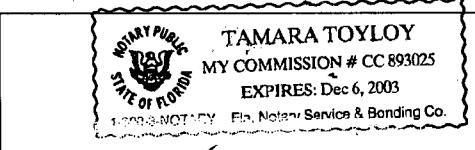
County Sheriff's Check \$

\*\*\* Special Instructions \*\*\*  
Routine. 2 of 2

#### NAME OF SERVER

Process Server

being duly sworn according to law,  
deposes and says that he/she is process server herein named; and  
that the facts herein set forth above are true and correct to the best of  
their knowledge, information and belief.



Sworn to & subscribed before me this  
24th day of July 2000

Sheriff \_\_\_\_\_

Process Server /  
Competent Adult

Law Firm Federman & Phelan

Attorney's Name Frank Federman, Esquire

For Plaintiff

Address Suite 900

Two Penn Center Plaza

Philadelphia PA 19102

Telephone # 563-7000

Identification # 12248

ATTEST Proth. Date

PRO PROTHY

June 10, 2000

DATE

FILED

AUG 07 2000  
M 124 JHC  
William A. Shaw  
Prothonotary  
S. K. E.

**FEDERMAN AND PHELAN**

By: Frank Federman, Esquire  
Atty. I.D. No. 12248  
Two Penn Center Plaza, Suite 900  
Philadelphia, PA 19102-1799  
(215) 563-7000

**ATTORNEY FOR PLAINTIFF**

**WELLS FARGO HOME MORTGAGE, INC.**  
F/K/A NORWEST MORTGAGE, INC.  
5024 PARKWAY PLAZA BOULEVARD  
CHARLOTTE, NC 28217

**COURT OF COMMON PLEAS**  
**CIVIL DIVISION**

v.

NO. 00-723-CO

JAMES E. RUANE, JR.  
THELMA C. RUANE  
13300 TWINWOOD LANE, #1719  
ORLANDO, FL 32837

**CLEARFIELD COUNTY**

**PRAECIPE FOR SUBSTITUTION OF LEGAL DESCRIPTION**

**TO THE PROTHONOTARY:**

Kindly substitute the attached legal description for the one originally filed with the  
Complaint in the above-captioned matter.



Frank Federman  
Attorney for Plaintiff

Date: July 31, 2000

CC: James E. Ruane, Jr.  
Thelma C. Ruane

**FILED**

AUG 07 2000

William A. Shaw  
Prothonotary

ALL THOSE CERTAIN TRACTS OF LAND DESIGNATED AS LOTS NO. 41 AND NO. 42,  
SECTION 23, "JUMENTOS", IN THE TREASURE LAKE SUBDIVISION IN SANDY  
TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, RECORDED IN MISC. DOCKET  
MAP FILE NO. 25.

BEING THE SAME PREMISES CONVEYED TO THEODORE W. SUTTON II AND MELISSA  
I. SUTTON, HUSBAND AND WIFE, BY DEED OF J.W. RICE CONSTRUCTION, INC.  
ALSO KNOWN AS RICE CONSTRUCTION, INC., DATED JULY 14, 1995 AND RECORDED  
JULY 31, 1995 IN CLEARFIELD COUNTY RECORD BOOK 1892, PAGE 472.

ALSO KNOWN AS CLEARFIELD COUNTY MAP #128.0-DO2-023-00041-00-21 AND  
CLEARFIELD COUNTY MAP #128.0-DO2-023-00042-00-21.

PREMISES: 326 TREASURE LAKE, DUBOIS, PA 15801

FILED

AUG 7 2000

MARIBEL  
William A. Shaw  
Prothonotary

622

FRANK FEDERMAN

(5)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WELLS FARGO HOME MORTGAGE INC  
VS  
RUANE, JAMES E. JR.

00-723-CD

COMPLAINT IN MORTGAGE FORECLOSURE  
SHERIFF RETURNS

NOW JULY 25, 2000 AFTER DILIGENT SEARCH IN MY BAILIWICK I  
RETURN THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT  
FOUND" AS TO JAMES E. RUANE, JR., AND THELMA C. RUANE,  
DEFENDANTS. MOVEDTO: 289 MOUNT HOPE DRIVE, DOVER, NJ.

38.76 SHFF. HAWKINS PAID BY: ATTY.  
20.00 SURCHARGE PAID BY: ATTY.

SWORN TO BEFORE ME THIS

10th DAY OF August 2000

William A. Shaw

WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2002  
Clearfield Co., Clearfield, PA.

SO ANSWERS,

*Chester A. Hawkins*  
*by Marilyn Hays*

CHESTER A. HAWKINS  
SHERIFF

FILED

AUG 10 2000

*Off 11:25am*

William A. Shaw

Prothonotary

*EAS*

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
TWO PENN CENTER PLAZA, SUITE 900  
PHILADELPHIA, PA 19102  
(215) 563-7000

WELLS FARGO HOME MORTGAGE, INC.,  
F/K/A NORWEST MORTGAGE, INC.  
5024 PARKWAY PLAZA BOULEVARD  
CHARLOTTE, NC 28217

Plaintiff  
v.

JAMES E. RUANE, JR.  
THELMA C. RUANE  
13300 TWINWOOD LANE, #1719  
ORLANDO, FL 32837

Defendant(s)

CIVIL ACTION - LAW  
MORTGAGE FORECLOSURE

NOTICE

\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY AND THIS DEBT WAS NOT REAFFIRMED, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY. \*\*

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you. 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 SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641

I hereby certify this to be a true and attested copy of the original statement filed in this case.

JUN 19 2000

Attest:

Loan #: 456156

*William J. Shanahan*  
Prothonotary

We hereby certify the within to be a true and correct copy of the original record  
FEDERMAN AND PHELAN

1. Plaintiff is

WELLS FARGO HOME MORTGAGE, INC.,  
F/K/A NORWEST MORTGAGE, INC.  
5024 PARKWAY PLAZA BOULEVARD  
CHARLOTTE, NC 28217

2. The name(s) and last known address(es) of the Defendant(s) are:

JAMES E. RUANE, JR.  
THELMA C. RUANE  
13300 TWINWOOD LANE, #1719  
ORLANDO, FL 32837

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 2/6/97 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1818, Page 488.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 3/1/00 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith. A copy of such notice is attached as Exhibit "A."

6. The following amounts are due on the mortgage:

Principal Balance	\$114,943.74
Interest	2,677.90
2/1/00 through 6/1/00	
(Per Diem \$21.95)	
Attorney's Fees	4,000.00
Cumulative Late Charges	117.06
2/6/97 to 6/1/00	
Cost of Suit and Title Search	<u>550.00</u>
Subtotal	122,288.70
Escrow	
Credit	0.00
Deficit	<u>438.40</u>
Subtotal	438.40
<b>TOTAL</b>	<b>\$122,727.10</b>

7. The attorney's fees set forth above are in conformity with the Mortgage documents and Pennsylvania Law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.00.

9. The Combined Notice has been sent to the Defendant(s) by regular and certified mail as required by 35 P.S. §1680.403c on the date(s) set forth in the true and correct copy of such notice(s) attached hereto as Exhibit "A."

10. This action does not come under Act 91 of 1983 because the mortgaged premises is not the principal residence of the Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$122,727.10, together with interest from 6/1/00 at the rate of \$21.95 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

/s/ Frank Federman  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

Wells Fargo Home Mortgage, Inc.  
P.O. Box 1225  
Charlotte, NC 28201-1225

May 8, 2000

4564 56 /000085/591Act9  
James E. Ruane, Jr.  
Apt. 1719  
13300 Twinwood Ln.  
Orlando FL 32837

RE: Wells Fargo Home Mortgage, Inc. Loan Number 4564156

Mortgagor(s): James E. Ruane, Jr.  
Thelma C. Ruane  
Mortgaged Premises: 326 Treasure Lake  
DuBois, PA 15801

## ACT 91 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this Notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll free at 1-800-342-2397. (Persons with impaired hearing can call (717) 780-1869).

This Notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICACION EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACION OBTENGA UNA TRADUCCION INMEDIATAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRESTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.

EXHIBITA

Wells Fargo Home Mortgage, Inc.  
P.O. Box 1225  
Charlotte, NC 28201-1225

May 8, 2000

4564156 /000087/591Act9  
Thelma C. Ruane  
Apt. 1719  
13300 Twinwood Ln.  
Orlando FL 32837

RE: Wells Fargo Home Mortgage, Inc. Loan Number 4564156

Mortgagor(s): James E. Ruane, Jr.  
Thelma C. Ruane  
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EXHIBIT A

Wells Fargo Home Mortgage, Inc.  
P.O. Box 1225  
Charlotte, NC 28201-1225

May 8, 2000

James E. Ruane, Jr.  
326 Treasure Lake  
DuBois PA 15801

4564156 /000086/591Act91

RE: Wells Fargo Home Mortgage, Inc. Loan Number 4564156

Mortgagor(s): James E. Ruane, Jr.  
Thelma C. Ruane  
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**EXHIBIT A**

Wells Fargo Home Mortgage, Inc.  
P.O. Box 1225  
Charlotte, NC 28201-1225

May 8, 2000

4564156 /000088/591Act91

Thelma C. Ruane  
326 Treasure Lake  
DuBois PA 15801

RE: Wells Fargo Home Mortgage, Inc. Loan Number 4564156

Mortagor(s): James E. Ruane, Jr.  
Thelma C. Ruane  
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EXHIBIT A

HOMEOWNER'S NAME(S):

James E. Ruane, Jr. Thelma C. Ruane

**PROPERTY ADDRESS:**

326 Treasure Lake  
DuBois, PA 15801

LOAN ACCT. NO.:

4564156

**ORIGINAL LENDER:**

WELLS FARGO HOME MORTGAGE, INC.

## HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM

**YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE  
WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND  
HELP YOU MAKE FUTURE MORTGAGE PAYMENTS**

IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:

- IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL.
- IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND
- IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

**TEMPORARY STAY OF FORECLOSURE** – Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face-to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice. **THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.**

**CONSUMER CREDIT COUNSELING AGENCIES** -- If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take action against you for thirty (30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

**APPLICATION FOR MORTGAGE ASSISTANCE** -- Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting.

YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.

ESTATE

**AGENCY ACTION** - Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after it receives your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.**

(If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)

## HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date).

**NATURE OF THE DEFAULT** - - The MORTGAGE debt held by the above lender on your property located at: 326 Treasure Lake  
DuBois, PA 15801

IS SERIOUSLY IN DEFAULT because:

A. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS for the following months and the following amounts are now past due:

March 2000 - May 2000 \$3,170.25

Other charges (explain/itemize):	Late Charges	\$463.21
Other Fees (if applicable)		\$0.00
TOTAL AMOUNT PAST DUE:		<u>\$3,633.46</u>

B. YOU HAVE FAILED TO TAKE THE FOLLOWING ACTION

**HOW TO CURE THE DEFAULT** - - You may cure the default within THIRTY (30) DAYS of the date of this notice BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS \$ 3,633.46, PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cash, cashier's check, certified check or money order made payable and sent to:

WELLS FARGO HOME MORTGAGE, INC.  
1 HOME CAMPUS  
X2501-01H  
DES MOINES, IOWA 50328

You can cure any other default by taking the following action within THIRTY (30) DAYS of the date of this letter:

**IF YOU DO NOT CURE THE DEFAULT** - - If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, the lender intends to exercise its rights to accelerate the mortgage debt. This means that the entire outstanding balance of this debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS, the lender also intends to instruct its attorneys to start legal action to foreclose upon your mortgaged property.

**IF THE MORTGAGE IS FORECLOSED UPON** - - The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to its attorneys, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to pay all reasonable attorney's fees actually incurred by the lender even if they exceed \$50.00. Any attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.

**OTHER LENDER REMEDIES** - - The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

EXHIBIT A

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE** -- If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, plus any late or other charges then due, reasonable attorney's fees and costs connected with the foreclosure sale and any other costs connected with the Sheriff's Sale as specified in writing by the lender and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this notice will restore your mortgage to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE** -- It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be approximately six (6) months from the date of this Notice. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender.

**HOW TO CONTACT THE LENDER:**

Name of Lender:	Wells Fargo Home, Mortgage, Inc.
Address:	5024 Parkway Plaza Blvd.
	Charlotte, NC 28217
Phone Number:	1-800-766-0987
Fax Number:	704-423-4016
Contact Person:	Jerry Wagner

**EFFECT OF SHERIFF'S SALE** -- You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

**ASSUMPTION OF MORTGAGE** -- You        may or        may not sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

**YOU MAY ALSO HAVE THE RIGHT:**

- TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT.
- TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.
- TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)
- TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.
- TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.
- TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

ESCPA

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**APPENDIX C**  
**PENNSYLVANIA HOUSING FINANCE AGENCY**  
**HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM**  
**CONSUMER CREDIT COUNSELING AGENCIES**

**CLEARFIELD COUNTY**

Keystone Economic Development Corporation  
1954 Mary Grace Lane  
Johnstown, PA 15901  
(814) 535-6556  
FAX# (814) 539-1688

Indiana Co Community Action Program  
827 Water Street, Box 187  
Indiana, PA 15701  
(724) 465-2657  
FAX# (724) 465-5118

CCCS of Western Pennsylvania, Inc.  
217 E. Plank Road  
Altoona, PA 16602  
(814) 944-8100  
FAX# (814) 944-5747

CCCS of Northeastern PA  
1631 S Atherton St  
Suite 100  
State College, PA 16801  
(814) 238-3668  
FAX# (814) 238-3669

CCCS of Western Pennsylvania  
219-A College Park Plaza  
Johnstown, PA 15904  
(814) 539-6335

The Pennsylvania Housing Finance Agency can be reached TOLL FREE at 1 (800) 342-2397.

**EXHIBIT A**

**LEGAL DESCRIPTION**

All that certain lot or piece of ground with the buildings and improvements thereon erected, being known as 326 TREASURE LAKE, DUBOIS, PA 15801, and being further described on that certain Deed dated 1/31/97 and recorded on 2/6/97 in the Office of the Recorder of Deeds in CLEARFIELD County in Deed Book No. 1818, Page 484.

Parcel No.: (1) 128-D2-23-42-21 & (2) 128-D2-23-41-21

BEING known as 326 TREASURE LAKE, DUBOIS, PA 15801

VERIFICATION

LEE MANNING hereby states that s/he is  
ASSISTANT VICE-PRESIDENT of WELLS FARGO BANK  
mortgage servicing agent for Plaintiff in this matter, that s/he is  
authorized to take this Verification, and that the statements  
made in the foregoing Civil Action in Mortgage Foreclosure are  
true and correct to the best of her/his knowledge, information and  
belief. The undersigned understands that this statement is made  
subject to the penalties of 13 Pa. C. S. Sec. 4904 relating to  
unsworn falsification to authorities.

Lee Manning  
LEE MANNING, ASST. VICE-PRESIDENT

DATE: 6/14/00

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
TWO PENN CENTER PLAZA, SUITE 900  
PHILADELPHIA, PA 19102  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

WELLS FARGO HOME MORTGAGE, INC.,  
F/K/A NORWEST MORTGAGE, INC.  
5024 PARKWAY PLAZA BOULEVARD  
CHARLOTTE, NC 28217

TERM

Plaintiff

v.

NO. 00-793-CO

CLEARFIELD COUNTY

JAMES E. RUANE, JR.  
THELMA C. RUANE  
13300 TWINWOOD LANE, #1719  
ORLANDO, FL 32837

Defendant(s)

**CIVIL ACTION - LAW**  
**MORTGAGE FORECLOSURE**

**NOTICE**

\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY AND THIS DEBT WAS NOT REAFFIRMED, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY. \*\*

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you. 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 SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641

I hereby certify this to be a true and attested copy of the original statement filed in this case.

JUN 19 2000

Loan #: 456156

Attest:

  
William S. Federman  
Prothonotary

We hereby certify the within to be a true and correct copy of the original filed of record  
FEDERMAN AND PHELAN

1. Plaintiff is

WELLS FARGO HOME MORTGAGE, INC.,  
F/K/A NORWEST MORTGAGE, INC.  
5024 PARKWAY PLAZA BOULEVARD  
CHARLOTTE, NC 28217

2. The name(s) and last known address(es) of the Defendant(s) are:

JAMES E. RUANE, JR.  
THELMA C. RUANE  
13300 TWINWOOD LANE, #1719  
ORLANDO, FL 32837

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 2/6/97 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1818, Page 488.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 3/1/00 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith. A copy of such notice is attached as Exhibit "A."

6. The following amounts are due on the mortgage:

Principal Balance	\$114,943.74
Interest	2,677.90
2/1/00 through 6/1/00 (Per Diem \$21.95)	
Attorney's Fees	4,000.00
Cumulative Late Charges 2/6/97 to 6/1/00	117.06
Cost of Suit and Title Search	<u>550.00</u>
Subtotal	122,288.70
Escrow	
Credit	0.00
Deficit	<u>438.40</u>
Subtotal	438.40
TOTAL	\$122,727.10

7. The attorney's fees set forth above are in conformity with the Mortgage documents and Pennsylvania Law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.00.

9. The Combined Notice has been sent to the Defendant(s) by regular and certified mail as required by 35 P.S. §1680.403c on the date(s) set forth in the true and correct copy of such notice(s) attached hereto as Exhibit "A."

10. This action does not come under Act 91 of 1983 because the mortgaged premises is not the principal residence of the Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$122,727.10, together with interest from 6/1/00 at the rate of \$21.95 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

/s/ Frank Federman  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

Wells Fargo Home Mortgage, Inc.  
P.O. Box 1225  
Charlotte, NC 28201-1225

May 8, 2000

4564 56 /000085/591Act91  
James E. Ruane, Jr.  
Apt. 1719  
13300 Twinwood Ln.  
Orlando FL 32837

RE: Wells Fargo Home Mortgage, Inc. Loan Number 4564156

Mortgagor(s): James E. Ruane, Jr.  
Thelma C. Ruane  
Mortgaged Premises: 326 Treasure Lake  
DuBois, PA 15801

## ACT 91 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this Notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll free at 1-800-342-2397. (Persons with impaired hearing can call (717) 780-1869).

This Notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICACION EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACION OBTENGA UNA TRADUCCION INMEDIATAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRESTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.

**EXHIBITA**

Wells Fargo Home Mortgage, Inc.  
P.O. Box 1225  
Charlotte, NC 28201-1225

May 8, 2000

4564156 /000087/591Act9  
Thelma C. Ruane  
Apt. 1719  
13300 Twinwood Ln.  
Orlando FL 32837

RE: Wells Fargo Home Mortgage, Inc. Loan Number 4564156

Mortgagor(s): James E. Ruane, Jr.  
Thelma C. Ruane  
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EXHIBITA

Wells Fargo Home Mortgage, Inc.  
P.O. Box 1225  
Charlotte, NC 28201-1225

May 8, 2000

James E. Ruane, Jr.  
326 Treasure Lake  
DuBois PA 15801

4564156 /000086/591Act91

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Thelma C. Ruane  
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EXHIBIT A

Wells Fargo Home Mortgage, Inc.  
P.O. Box 1225  
Charlotte, NC 28201-1225

May 8, 2000

Thelma C. Ruane  
326 Treasure Lake  
DuBois PA 15801

4564 56 /000088/591Act9\*

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EXHIBIT A

HOMEOWNER'S NAME(S):	James E. Ruane, Jr. Thelma C. Ruane
PROPERTY ADDRESS:	326 Treasure Lake DuBois, PA 15801
LOAN ACCT. NO.:	4564156
ORIGINAL LENDER:	
CURRENT LENDER/SERVICER:	WELLS FARGO HOME MORTGAGE, INC.

### HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM

**YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE**  
**WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND**  
**HELP YOU MAKE FUTURE MORTGAGE PAYMENTS**

IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:

- IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL.
- IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND
- IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

**TEMPORARY STAY OF FORECLOSURE** -- Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face-to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice. **THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE.** THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.

**CONSUMER CREDIT COUNSELING AGENCIES** -- If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take action against you for thirty (30) days after the date of this meeting. **The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice.** It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

**APPLICATION FOR MORTGAGE ASSISTANCE** -- Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting.

**YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.**

EX-1000-A

**AGENCY ACTION** -- Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after it receives your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.**

(If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)

## **HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date).**

**NATURE OF THE DEFAULT** -- The MORTGAGE debt held by the above lender on your property located at: 326 Treasure Lake

DuBois, PA 15801

IS SERIOUSLY IN DEFAULT because:

A. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS for the following months and the following amounts are now past due:

March 2000 - May 2000 \$3,170.25

Other charges (explain/itemize):	<u>Late Charges</u>	<u>\$463.21</u>
<u>Other Fees (if applicable)</u>		<u>\$0.00</u>

**TOTAL AMOUNT PAST DUE:** \$3,633.46

B. YOU HAVE FAILED TO TAKE THE FOLLOWING ACTION

**HOW TO CURE THE DEFAULT** -- You may cure the default within THIRTY (30) DAYS of the date of this notice BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS \$ 3,633.46, PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cash, cashier's check, certified check or money order made payable and sent to:

WELLS FARGO HOME MORTGAGE, INC.  
1 HOME CAMPUS  
X2501-01H  
DES MOINES, IOWA 50328

You can cure any other default by taking the following action within THIRTY (30) DAYS of the date of this letter:

**IF YOU DO NOT CURE THE DEFAULT** -- If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, the lender intends to exercise its rights to accelerate the mortgage debt. This means that the entire outstanding balance of this debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS, the lender also intends to instruct its attorneys to start legal action to foreclose upon your mortgaged property.

**IF THE MORTGAGE IS FORECLOSED UPON** -- The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to its attorneys, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to pay all reasonable attorney's fees actually incurred by the lender even if they exceed \$50.00. Any attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.

**OTHER LENDER REMEDIES** -- The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE** -- If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, plus any late or other charges then due, reasonable attorney's fees and costs connected with the foreclosure sale and any other costs connected with the Sheriff's Sale as specified in writing by the lender and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this notice will restore your mortgage to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE** -- It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be approximately six (6) months from the date of this Notice. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender.

**HOW TO CONTACT THE LENDER:**

Name of Lender:	Wells Fargo Home, Mortgage, Inc.
Address:	5024 Parkway Plaza Blvd.
	Charlotte, NC 28217
Phone Number:	1-800-766-0987
Fax Number:	704-423-4016
Contact Person:	Jerry Wagner

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ESCRIBITA

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**CLEARFIELD COUNTY**

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1954 Mary Grace Lane  
Johnstown, PA 15901  
(814) 535-6556  
FAX# (814) 539-1688

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827 Water Street, Box 187  
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1631 S Atherton St  
Suite 100  
State College, PA 16801  
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All that certain lot or piece of ground with the buildings and improvements thereon erected, being known as 326 TREASURE LAKE, DUBOIS, PA 15801, and being further described on that certain Deed dated 1/31/97 and recorded on 2/6/97 in the Office of the Recorder of Deeds in CLEARFIELD County in Deed Book No. 1818, Page 484.

Parcel No.: (1) 128-D2-23-42-21 & (2) 128-D2-23-41-21

BEING known as 326 TREASURE LAKE, DUBOIS, PA 15801

VERIFICATION

LEE MANNING hereby states that s/he is  
ASSISTANT VICE-PRESIDENT of WELLS FARGO BANK  
mortgage servicing agent for Plaintiff in this matter, that s/he is  
authorized to take this Verification, and that the statements  
made in the foregoing Civil Action in Mortgage Foreclosure are  
true and correct to the best of her/his knowledge, information and  
belief. The undersigned understands that this statement is made  
subject to the penalties of 13 Pa. C. S. Sec. 4904 relating to  
unsworn falsification to authorities.

Lee Manning  
LEE MANNING, ASST. VICE-PRESIDENT

DATE: 6/14/00

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN  
Identification No. 12248  
Two Penn Center Plaza - Suite 900  
Philadelphia, PA 19102  
(215) 563-7000

Attorney for Plaintiff

**WELLS FARGO HOME  
MORTGAGE, INC., F/K/A  
NORWEST MORTGAGE, INC.  
5024 PARKWAY PLAZA BOULEVARD  
CHARLOTTE, NC 28217**

**Plaintiff**

vs.

53  
JAMES E. RUANE, JR.  
THELMA C. RUANE  
13300 TWINWOOD LANE, #1719  
ORLANDO, FL 32837

**Defendant(s)**

FILED

AUG 28 2000

William A. Shaw  
Prothonotary

## **PRAECIPE FOR JUDGMENT FOR FAILURE TO ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against **JAMES E. RUANE, JR. and**  
**THELMA C. RUANE**, Defendant(s), for failure to file an Answer to Plaintiff's Complaint within  
20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess  
Plaintiff's damages as follows:

As set forth in Complaint	<b>\$122,727.10</b>
Interest 06/01/00 TO 08/25/00	<b><u>\$1,887.70</u></b>
<b>TOTAL</b>	<b>\$124,614.80</b>

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice has been given in accordance with Rule 237.1, copy attached.

Frank Federman  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

**DAMAGES ARE HEREBY ASSESSED AS INDICATED.**

DATE: 8/28/00

William H. Gray

## PRO PROTHY

**\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY AND THIS DEBT WAS NOT REAFFIRMED, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.\*\***

FEDERMAN AND PHELAN  
Frank Federman, Esquire  
Identification No. 12248  
Two Penn Center Plaza  
Suite 900  
Philadelphia, PA 19102-1799  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

WELLS FARGO HOME MORTGAGE,  
INC., : COURT OF COMMON PLEAS

Plaintiff : CIVIL DIVISION  
vs. : CLEARFIELD COUNTY

JAMES E. RUANE, JR. : NO. 00-723-CO  
THELMA C. RUANE

Defendant(s)

TO: JAMES E. RUANE, JR.  
13300 TWINWOOD LANE, #1719  
ORLANDO, FL 32837

DATE OF NOTICE: AUGUST 14, 2000

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION WE OBTAIN WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.

IMPORTANT NOTICE

You are in default because you have failed enter a written appearance personally or by attorney and file in writing with the court your defenses or objections to the claims set forth against you. Unless you act within ten (10) days from the date of this notice, a Judgment may be entered against you without a hearing and you may lose your property or other important rights. You should take this notice to a lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help:

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641

---

Frank Federman, Esquire  
Attorney for Plaintiff

FEDERMAN AND PHELAN  
Frank Federman, Esquire  
Identification No. 12248  
Two Penn Center Plaza  
Suite 900  
Philadelphia, PA 19102-1799  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

WELLS FARGO HOME MORTGAGE,  
INC., F/K/A NORWEST MORTGAGE,  
INC.  
Plaintiff : COURT OF COMMON PLEAS  
vs. : CIVIL DIVISION  
JAMES E. RUANE, JR. : CLEARFIELD COUNTY  
THELMA C. RUANE : NO. 00-723-CO

Defendant

TO: **THELMA C. RUANE**  
13300 TWINWOOD LANE, #1719  
ORLANDO, FL 32837

DATE OF NOTICE: **AUGUST 14, 2000**

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

**IMPORTANT NOTICE**

You are in default because you have failed enter a written appearance personally or by attorney and file in writing with the court your defenses or objections to the claims set forth against you. Unless you act within ten (10) days from the date of this notice, a Judgment may be entered against you without a hearing and you may lose your property or other important rights. You should take this notice to a lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help:

CLEARFIELD OCUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641

Frank Federman, Esquire  
Attorney for Plaintiff

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN  
Identification No. 12248  
Two Penn Center Plaza - Suite 900  
Philadelphia, PA 19102  
(215) 563-7000

Attorney for Plaintiff

**WELLS FARGO HOME  
MORTGAGE, INC., F/K/A  
NORWEST MORTGAGE, INC.  
5024 PARKWAY PLAZA BOULEVARD  
CHARLOTTE, NC 28217**

**Plaintiff**

VS.

**JAMES E. RUANE, JR.  
THELMA C. RUANE  
13300 TWINWOOD LANE, #1719  
ORLANDO, FL 32837**

: CLEARFIELD COUNTY  
:  
: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 00-723-CO  
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**Defendant(s)**

## **CERTIFICATION**

FRANK FEDERMAN, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that the premises are not subject to the provisions of Act 91 because it is:

- ( ) an FHA mortgage
- ( ) non-owner occupied
- ( ) vacant
- Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Frank Federman

FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

FEDERMAN and PHELAN  
By: FRANK FEDERMAN  
Identification No. 12248  
Suite 900  
Two Penn Center Plaza  
Philadelphia, PA 19102  
(215) 563-7000

Attorney for Plaintiff

**WELLS FARGO HOME  
MORTGAGE, INC., F/K/A  
NORWEST MORTGAGE, INC.**

**: CLEARFIELD COUNTY**

**:**

**: Court of Common Pleas**

**:**

**: CIVIL DIVISION**

**:**

**: NO. 00-723-CO**

**:**

**:**

**:**

Plaintiff

vs.

**JAMES E. RUANE, JR.  
THELMA C. RUANE**

Defendant(s)

**VERIFICATION OF NON-MILITARY SERVICE**

FRANK FEDERMAN, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended

(b) that defendant **JAMES E. RUANE, JR.** is over 18 years of age and resides at **13300 TWINWOOD LANE, #1719, ORLANDO, FL 32837.**

(c) that defendant **THELMA C. RUANE** is over 18 years of age, and resides at **13300 TWINWOOD LANE, #1719, ORLANDO, FL 32837.**

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

*Frank Federman*  
FRANK FEDERMAN  
Attorney for Plaintiff

CO Y

(Rule of Civil Procedure No. 236 – Revised)

WELLS FARGO HOME  
MORTGAGE, INC., F/K/A  
NORWEST MORTGAGE, INC.

: CLEARFIELD COUNTY

:

: Court of Common Pleas

:

Plaintiff

: CIVIL DIVISION

:

vs.

: NO. 00-723-CO

:

JAMES E. RUANE, JR.  
THELMA C. RUANE

:

:

:

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered against you on  
AUGUST 28, 2000.

By \_\_\_\_\_ DEPUTY

If you have any questions concerning this matter, please contact:

FRANK FEDERMAN, ESQUIRE  
Attorney for Filing Party  
SUITE 900  
TWO PENN CENTER PLAZA  
PHILADELPHIA, PA 19102  
(215) 563-7000

\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY AND THIS DEBT WAS NOT REAFFIRMED, THIS IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY. \*\*

**FILED**

AUG 28 2000  
M 17.33 CASHIER  
William A. Shaw  
Prothonotary

Not. to Dr. Q. Ruane, Jr.  
Not. to Dr. T. Ruane

Statement to Atty Ventresca

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
STATEMENT OF JUDGMENT

COPY

WELLS FARGO HOME MORTGAGE, INC.,

F/K/A NORWEST MORTGAGE, INC.

Plaintiff(s)

No. 00-723-CD

vs.

JAMES E. RUANE, JR.,

THELMA C. RUANE

Defendant(s)

Costs \$ \_\_\_\_\_

Int. From \_\_\_\_\_

Entry \$20.00 \_\_\_\_\_

Instrument Default Judgment \_\_\_\_\_

Date of Entry August 28, 2000 \_\_\_\_\_

Expires August 28, 2005 \_\_\_\_\_

Certified from the record this 28th day of August, 2000 \_\_\_\_\_

\_\_\_\_\_  
William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on \_\_\_\_\_, 20\_\_\_\_, of defendant full satisfaction of this Judgment, Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

\_\_\_\_\_  
Plaintiff/Attorney

PRAECIPE FOR WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180-3183

WELLS FARGO HOME MORTGAGE, : CLEARFIELD  
INC. :  
: COURT OF COMMON  
: PLEAS  
Plaintiff : CIVIL DIVISION  
vs. : NO. 00-723-CO  
53 JAMES E. RUANE, JR.  
93 THELMA C. RUANE  
13300 TWINWOOD LANE, #1719  
ORLANDO, FL 32837  
Defendant(s) :  
TO THE DIRECTOR OF THE PROTHONOTARY:

Issue writ of execution in the above matter:

Amount. Due \$ 124,614.80  
Interest from \$ \_\_\_\_\_ and Costs  
SEPTEMBER 12, 2000 to (sale date)  
(per diem - \$20.48)

Frank Federman  
FRANK FEDERMAN, ESQUIRE  
TWO PENN CENTER PLAZA  
SUITE 900  
PHILADELPHIA, PA 19102  
Attorney for Plaintiff

Note: Please attach description of property.

**FILED**

SEP 13 2000

William A. Shaw  
Prothonotary

No. 00-723-CO Term  
IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

WELLS FARGO HOME MORTGAGE, INC.

vs.

JAMES E. RUANE, JR.  
THELMA C. RUANE

---

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Filed:

*Frank Feder*  
\_\_\_\_\_  
Attorney for Plaintiff

Address: 13300 TWINWOOD LANE, #11719, ORLANDO, FL 32837  
Where papers may be served.

ALL THOSE CERTAIN tracts of land designated as Lots No. 41 and No. 42, Section 23, "Jumentos", in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in Misc. Docket Map File No. 25.

Also known as Clearfield County Map #128-0-D02-023-00041-00-21 and Clearfield County Map #128.0-D02-023-00042-00-21.

TITLE TO SAID PREMISES IS VESTED IN James E. Ruane, Jr. and Thelma C. Ruane, husband and wife by Deed from Theodore W. Sutton II, and Melissa I. Sutton, husband and wife dated 1/31/97, recorded 2/6/97, in Record Book 1818, Page 484.

FILED

SEP 13 2000

William A. Shaw  
Prothonotary

*ER*  
*SC*  
—  
*ER*

FEDERMAN and PHELAN  
By: FRANK FEDERMAN  
Identification No. 12248  
Suite 900  
Two Penn Center Plaza  
Philadelphia, PA 19102  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

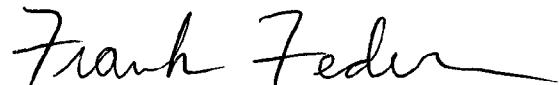
WELLS FARGO HOME MORTGAGE, INC. : CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS  
: CIVIL DIVISION  
vs. : NO. 00-723-CO  
JAMES E. RUANE, JR. :  
THELMA C. RUANE :

CERTIFICATION

FRANK FEDERMAN, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

( ) an FHA Mortgage  
( ) non-owner occupied  
( ) vacant  
(X) Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

**COPY**

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180 TO 3183 AND Rule 3257

WELLS FARGO HOME MORTGAGE, : CLEARFIELD  
INC. :  
Plaintiff : COURT OF COMMON  
vs. : PLEAS  
: CIVIL DIVISION  
JAMES E. RUANE, JR. :  
THELMA C. RUANE : NO. 00-723-CO  
13300 TWINWOOD LANE, #1719 :  
ORLANDO, FL 32837 :  
Defendant(s) :  
: :  
: :  
: :

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF WYOMING:

**TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA**

To satisfy the judgment, interest and costs in the above matter, you are directed to levy upon and sell the following described property (specifically described property below):

Premises 326 TREASURE LAKE, DUBOIS, PA 15801  
(see attached legal description)

Amount Due	\$ 124,614.80
Interest from	\$ _____
SEPTEMBER 12, 2000 to (sale date)	
(per diem - \$20.48)	
Total	\$ 178.70 Plus Costs as endorsed.



---

Clerk  
Office of Prothonotary  
Common Pleas Court of  
CLEARFIELD County, PA

Dated: 9-13-00  
(Seal)

No. 00-723-CO Term

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
WELLS FARGO HOME MORTGAGE, INC.

vs.

JAMES E. RUANE, JR.  
THELMA C. RUANE

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Costs

Office of the Prothonotary

Judge Fee

Cr.

Sat.

Frank Federer  
Attorney for Plaintiff

Address: 13300 TWINWOOD LANE, #1719, ORLANDO, FL 32837  
Where papers may be served.

(8)

## AFFIDAVIT OF SERVICE

Commonwealth of Pennsylvania

County of Clearfield

Common Pleas Court

Case Number: 00-723-CO

Plaintiff:

**Wells Fargo Home Mortgage, Inc.,**

vs.

Defendant:

**James E. Ruane, Jr., and Thelma C. Ruane,**

For:

Frank Federman

Federman & Phelan, P.A.

Received by Fast Serve on the 28th day of September, 2000 at 4:44 pm to be served on JAMES E. RUANE, JR., 13300 Twinwood Lane, #1719, Orlando, FL 32837.

I, David J. Biddle, being duly sworn, depose and say that on the 2nd day of October, 2000 at 7:30 pm, I:

INDIVIDUALLY SERVED: The within named person with a true copy of this Notice of Sheriff's Sale of Real Estate with the date and hour endorsed thereon by me, Pursuant to F.S. 48.031(1).

I certify that I am a Special Process Server, Sheriff appointed, pursuant to FS 48.021, in the county in which the above action was served, and that I have no interest in the above action. Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

**FILED**

OCT 20 2000

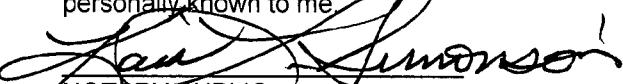
William A. Shaw  
Prothonotary

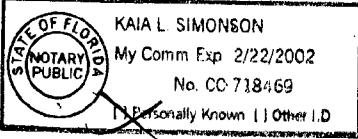
  
\_\_\_\_\_  
David J. Biddle  
P00223

Fast Serve  
351 Echo Valley Lane  
Newtown Square, PA 19073  
(610) 719-0307

Our Job Serial Number: 2000007112

Subscribed and Sworn to before me on the 3rd  
day of October, 2000 by the affiant who is  
personally known to me.

  
NOTARY PUBLIC



AFFIDAVIT OF SERVICE - CLEARFIELDPLAINTIFF WELLS FARGO HOME MORTGAGE, INC.COURT NO. 00-723-CODEFENDANT JAMES E. RUANE, JR.THELMA C. RUANETYPE OF ACTIONSERVE AT 13300 TWINWOOD LANE, #1719

Mortgage Foreclosure  
 Eviction  
 Civil Action  
 Notice of Sheriff's Sale - DATE JANUARY 9, 2001

ORLANDO, FL 32837SERVED

Served and made known to James E. Ruane, Jr., Defendant on the 2nd day of October, 2000, at 7:30 o'clock, P. M., at County of Clearfield, Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.

Adult family member with whom Defendant(s) reside(s). Relationship is \_\_\_\_\_.

Adult in charge of Defendant's residence who refused to give name/relationship.

Manager/Clerk of place of lodging in which Defendant(s) reside(s).

Agent or person in charge of Defendant's office or usual place of business.

\_\_\_\_\_ an officer of said defendant company.

Other: \_\_\_\_\_

Description: \_\_\_\_\_ Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_  
 Other \_\_\_\_\_

I, David J. Biddle, a competent adult, being duly sworn according to law, depose and state that I personally handed to James E. Ruane, Jr. a true and correct copy of the Notice of Sheriff's Sale issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200\_\_\_\_\_.  
Notary:

*David J. Biddle*  
#223

By:

On the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_, at \_\_\_\_\_ o'clock  
M. Defendant NOT FOUND because:

Moved  Unknown  No Answer  Vacant  
Other: \_\_\_\_\_

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200\_\_\_\_\_.  
Notary:

By:

FILED

OCT 20 2000  
10/3/00  
William A. Shaw  
Prothonotary

## AFFIDAVIT OF SERVICE

Commonwealth of Pennsylvania

County of Clearfield

Common Pleas Court

Case Number: 00-723-CO

Plaintiff:

**Wells Fargo Home Mortgage, Inc.,**

vs.

Defendant:

**James E. Ruane, Jr., and Thelma C. Ruane,**

For:

Frank Federman  
Federman & Phelan, P.A.

Received by Fast Serve on the 28th day of September, 2000 at 4:44 pm to be served on **THELMA C. RUANE**, 13300 Twinwood Lane, #1719, Orlando, FL 32837.

I, David J. Biddle, being duly sworn, depose and say that on the 2nd day of October, 2000 at 7:30 pm, I:

Substitute Served: Pursuant to 48.031(1)(a) by leaving a true copy of this Notice of Sheriff's Sale of Real Estate with the date and hour of service endorsed thereon by me, at the within named person's usual place of abode, to a person residing therein who is 15 years of age or older to wit: James E. Ruane, Jr., spouse and informing said person of the contents thereof.

I certify that I am a Special Process Server, Sheriff appointed, pursuant to FS 48.021, in the county in which the above action was served, and that I have no interest in the above action. Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

**FILED**

OCT 20 2000

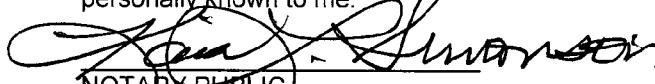
William A. Shaw  
Prothonotary

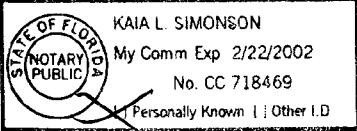
  
\_\_\_\_\_  
David J. Biddle  
P00223

Fast Serve  
351 Echo Valley Lane  
Newtown Square, PA 19073  
(610) 719-0307

Our Job Serial Number: 2000007113

Subscribed and Sworn to before me on the 3rd day of October, 2000 by the affiant who is personally known to me.

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



AFFIDAVIT ERVICE - CLEARFIELDPLAINTIFF WELLS FARGO HOME MORTGAGE, INC.COURT NO. 00-723-CODEFENDANT JAMES E. RUANE, JR.THELMA C. RUANESERVE AT 13300 TWINWOOD LANE, #1719TYPE OF ACTION

Mortgage Foreclosure  
 Eviction  
 Civil Action  
 Notice of Sheriff's Sale - DATE JANUARY 9, 2001

ORLANDO, FL 32837SERVED

Served and made known to Thelma C. Ruane of October, 2000, at 7:30 o'clock, P. M., at County of Clearfield, Commonwealth of Pennsylvania, in the manner described below:  
 Defendant personally served.  
 Adult family member with whom Defendant(s) reside(s). Relationship is Spouse.  
 Adult in charge of Defendant's residence who refused to give name/relationship.  
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).  
 Agent or person in charge of Defendant's office or usual place of business.  
 Other: \_\_\_\_\_ an officer of said defendant company.

Description: \_\_\_\_\_ Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_  
 Other: \_\_\_\_\_

I, David J. Biddle, a competent adult, being duly sworn according to law, depose and state that I personally, handed to James E. Ruane, Jr. a true and correct copy of the Notice of Sheriff's Sale issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
 before me this \_\_\_\_\_ day  
 of \_\_\_\_\_, 200\_\_\_\_\_.  
 Notary:

*David J. Biddle*  
 #223

By:

On the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_, at \_\_\_\_\_ o'clock  
 M. Defendant NOT FOUND because:

Moved  Unknown  No Answer  Vacant

Other:

Sworn to and subscribed  
 before me this \_\_\_\_\_ day  
 of \_\_\_\_\_, 200\_\_\_\_\_.  
 Notary:

By:

NOT SERVED

FILED

OCT 20 2000  
M/13/2000  
William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WELLS FARGO HOME MORTGAGE, INC.

vs.

JAMES E. RUANE, JR.

THELMA C. RUANE

Defendant(s)

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5. Name and address of every other person who has any record  
lien on the property:

NONE

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the sale:

TREASURE LAKE PROPERTY  
OWNERS ASSOCIATION

13 TREASURE LAKE  
DUBOIS, PA 15801

CLEARFIELD COUNTY DOMESTIC  
RELATIONS DEPARTMENT

CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PA 16830

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:

TENANT/OCCUPANT

326 TREASURE LAKE  
DUBOIS, PA 15801

(Attach separate sheet if more space is needed)

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. #4904 relating to unsworn falsification to authorities.

November 16, 2000  
Date

Frank Federman  
FRANK FEDERMAN, ESQ.  
Attorney for Plaintiff

FILED

NOV 17 2000  
M 10:59:10 AM  
Wm. A. Shaw  
Fronostaw  
Kip

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA**

VS.

JAMES E. RUANE, JR. ) CIVIL DIVISION  
THELMA C. RUANE ) NO. 00-723-CO

**AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129**

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD ) SS:

I, FRANK FEDERMAN, ESQUIRE attorney for WELLS FARGO HOME MORTGAGE, INC. hereby verify that on OCTOBER 12, 2000 true and correct copies of the Notice of Sheriff's sale were served by certificate of mailing to the recorded lienholders, and any known interested party see Exhibit "A" attached hereto. Notice of Sale was sent to the Defendant(s) on OCTOBER 2, 2000 by certified mail return receipt requested see Exhibit "B" attached hereto.

DATE: December 5, 2000

*Frank Federman*  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

FILED  
JAN 10 1968  
60-1000

DEC 1 1964

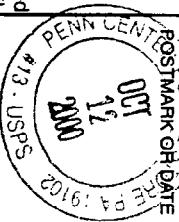
P. 968 740 249

To:

JAMES E. RUANE, JR.  
13300 TWINWOOD LANE, #1719  
ORLANDO, FL 32837

SENDER: EMM  
REFERENCE: RUANE, J.

PS FORM 3800, SEPTEMBER 1995	
Postage	2.65
Certified Fee	0.00
Return Receipt Fee	0.00
RECEIPT SERVICE	2.75
Restricted Delivery	
Total Postage and Fees	5.25



**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail

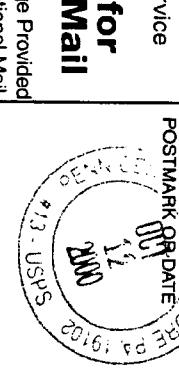
P. 968 740 250

To:

THELMA C. RUANE  
13300 TWINWOOD LANE, #1719  
ORLANDO, FL 32837

SENDER: EMM  
REFERENCE: RUANE, J.

PS FORM 3800, SEPTEMBER 1995	
Postage	2.65
Certified Fee	0.00
Return Receipt Fee	0.00
RECEIPT SERVICE	2.75
Restricted Delivery	
Total Postage and Fees	5.25

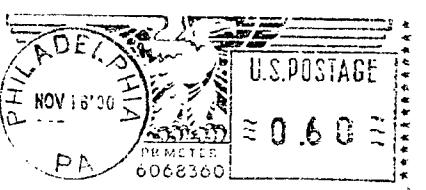


**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail

Name and  
Address   
of Sender

FEDERMAN & PHELAN  
One Penn Center at Suburban Station, Suite 1400  
Philadelphia, PA 19103

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	XXXX	TREASURE LAKE PROPERTY OWNERS ASSOCIATION 13 TREASURE LAKE DUBOIS, PA 15801		
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
Total Number of Pieces Listed by Sender		Postmaster Per (Name of Receiving Employee)	 U.S. POSTAGE 0.6 NOV 16 '00 PHL 2000 U.S. POSTAGE 0.6 NOV 16 '00 PHL 2000	
<p>Total Number of Pieces Received at Post Office</p> <p><b>1</b></p> <p></p> <p></p> <p><b>JMW-GWW</b></p> <p>The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of non-negotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail sent with optional insurance. See Domestic Mail Manual R900, R913 and R921 for limitations of coverage.</p>				

Address of Sender		Request for Return Receipt for Merchandise or Merchandise Recorded Mail						Registered Mail: With Postal Insurance						Postmark and Date of Receipt									
		Insured (C.O.D.)		Certified		Insured for Merchandise Recorded Mail		With Postal Insurance		Insured Value		Insured Value		Insured Value		Insured Value		Insured Value		Insured Value			
Line	Address Number	Name of Addressee, Street, and Post Office Address		Prestige		Free		Handling (if Reg'd.)		Act. Value		Insured Value		Insured Value		Insured Value		Insured Value		Insured Value			
1	RUANE, J.	CLEARFIELD COUNTY DOMESTIC RELATIONS DEPT. CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 15830																					
2	XXXXXX	TENANT/OCCUPANT 326 TREASURE LAKE DUBOIS, PA 15801																					
3																							
4	XXXXXX																						
5																							
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9																							
10																							
11																							
12																							
13																							
14																							
15																							
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		Postmaster Per (Name of Receiving Employee)		<p>(The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail sent with optional postal insurance. See Domestic Mail Manual (DOM) Section 501.3 and 502 for limitations of coverage on insured mail and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and fourth class parcels.)</p> <p>2</p>																	

FILED

DEC 11 2000  
WILLIAM A. SHAW  
William A. Shaw  
Prothonotary  
Clerk

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180 TO 3183 AND Rule 3257

WELLS FARGO HOME MORTGAGE, : CLEARFIELD  
INC. :  
Plaintiff : COURT OF COMMON  
vs. : PLEAS  
: CIVIL DIVISION  
JAMES E. RUANE, JR. :  
THELMA C. RUANE : NO. 00-723-CO  
13300 TWINWOOD LANE, #1719 :  
ORLANDO, FL 32837 :  
Defendant(s) :  
: :  
: :  
: :

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF WYOMING:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

To satisfy the judgment, interest and costs in the above matter, you are directed to levy upon and sell the following described property (specifically described property below):

Premises 326 TREASURE LAKE, DUBOIS, PA 15801  
(see attached legal description)

Amount Due	\$ 124,614.80
Interest from SEPTEMBER 12, 2000 to (sale date) (per diem - \$20.48)	\$ _____
Total	\$ 178.70 Plus Costs as endorsed.



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Clerk  
Office of Prothonotary  
Common Pleas Court of  
CLEARFIELD County, PA

Dated: 9-13-00  
(Seal)

RECEIVED SEP 14 2000

No. 00-723-CO Term

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
WELLS FARGO HOME MORTGAGE, INC.

vs.

JAMES E. RUANE, JR.  
THELMA C. RUANE

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Costs

Office of the Prothonotary

Judg. Fee

Cr.

Sat.

Frank Teller  
Attorney for Plaintiff

Address: 13300 TWINWOOD LANE, #1719, ORLANDO, FL 32837  
Where papers may be served.

ALL THOSE CERTAIN tracts of land designated as Lots No. 41 and No. 42, Section 23, "Jumentos", in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in Misc. Docket Map File No. 25.

Also known as Clearfield County Map #128-0-D02-023-00041-00-21 and Clearfield County Map #128.0-D02-023-00042-00-21.

TITLE TO SAID PREMISES IS VESTED IN James E. Ruane, Jr. and Thelma C. Ruane, husband and wife by Deed from Theodore W. Sutton II, and Melissa I. Sutton, husband and wife dated 1/31/97, recorded 2/6/97, in Record Book 1818, Page 484.

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

**Sheriff Docket # 10263**

**WELLS FARGO HOME MORTGAGE, INC.**

**00-723-CD**

**VS.**

**RUANE, JAMES E., JR.**

**WRIT OF EXECUTION REAL ESTATE**

**SHERIFF RETURNS**

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**NOW, OCTOBER 9, 2000, AT 10:15 AM O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANTS. PROPERTY WAS POSTED THIS DATE.**

**A SALE IS SET FOR FRIDAY, JANUARY 5, 2001, AT 10:00 AM.**

**NOW, OCTOBER 10, 2000, MAILED WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY TO THE DEFENDANTS BY REGULAR AND CERTIFIED MAIL.**

**NOW, OCTOBER 13, 2000, SERVED WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY ON JAMES E. RUANE, JR., DEFENDANT, AT HIS PLACE OF RESIDENCE, 13300 TWINWOOD LANE, #1719, ORLANDO, FLORIDA, 32837, BY CERTIFIED MAIL #7000 0600 0023 2701 1762.**

**NOW, OCTOBER 13, 2000, SERVED WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY ON THEMELA C. RUANE, DEFENDANT, AT HER PLACE OF RESIDENCE, 13300 TWINWOOD LANE, #1719, ORLANDO, FLORIDA, 32837, BY CERTIFIED MAIL #7000 0600 0023 2701 1779.**

**NOW, JANUARY 5, 2001, A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANTS. PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR ONE DOLLAR PLUS COSTS.**

**NOW, JANUARY 22, 2001, RETURN WRIT AS A SALE BEING HELD, WITH THE PLAINTIFF PURCHASING THE PROPERTY FOR ONE DOLLAR (\$1.00) PLUS COSTS. PAID COSTS FROM ADVANCE WITH THE ATTORNEY PAYING REMAINING COSTS, DEED WAS FILED THIS DATE.**

**SHERIFF HAWKINS \$218.80  
SURCHARGE 40.00  
PAID BY ATTORNEY**

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10263

WELLS FARGO HOME MORTGAGE, INC.

00-723-CD

VS.

RUANE, JAMES E., JR.

WRIT OF EXECUTION REAL ESTATE

**SHERIFF RETURNS**

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Sworn to Before Me This

22 Day Of January 2001

William A. Shaw  
WAS  
EKA

WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2002  
Clearfield Co. Clearfield, PA.

So Answers,

Chester Hawkins  
by Margaret W. Pott  
Chester A. Hawkins  
Sheriff

U.S. Postal Service

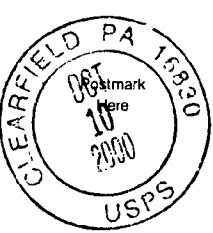
## CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

7000 0600 0023 2701 1779

Article Sent To:

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$3.00



Name (Please Print Clearly) (to be completed by mailer)

THELMA C. RUANE  
Street, Apt. No., or PO Box No.  
13300 Twinwood Lane #1719  
City, State, ZIP+4  
Orlando, Florida 32837

PS Form 3800, July 1999

See Reverse for Instructions

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

JAMES E. RUANE, JR.  
13300 Twinwood Lane #1719  
Orlando, Florida 32837

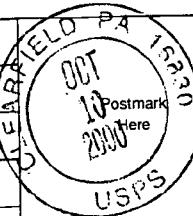
U.S. Postal Service

## CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$3.00



Name (Please Print Clearly) (to be completed by mailer)

JAMES E. RUANE, JR.  
Street, Apt. No., or PO Box No.  
13300 TWINWOOD LANE #1719  
City, State, ZIP+4  
ORLANDO, FLORIDA 32837

PS Form 3800, July 1999

See Reverse for Instructions

## COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

*James E. Ruane* 10-10

## C. Signature

*James E. Ruane*  Agent  Addressee

D. Is delivery address different from item 1?  Yes  No

If YES, enter delivery address below:

## 3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

## 2. Article Number (Copy from service label)

7000 0600 0023 2701 1762

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

EX-10263

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

THELMA C. RUANE  
13300 Twinwood Lane #1719  
Orlando, Florida 32837

COPY

## COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

*Thelma C. Ruane* 10-13

## C. Signature

*Thelma C. Ruane*  Agent  Addressee

D. Is delivery address different from item 1?  Yes  No

If YES, enter delivery address below:

## 3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

## 2. Article Number (Copy from service label)

7000 0600 0023 2701 1779

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

EX-10263

REAL ESTATE SALE

REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION

REAL ESTATE SALE

NOW, JANUARY 8, 2001 by virtue of the writ of execution hereunto attached, after having given due and legal notice of the time and place of sale, by publication in a newspaper published in this County, and by hand-bills posted on the premises, setting forth the time and place of sale, at the Court House, in Clearfield on the 5th day of JANUARY 2001, I exposed the within described real estate of JAMES E. RUANE, JR., AND THELMA C. RUANE

to public venue or outcry at which time and place I sold the same to WELLS FARGO HOME MORTGAGE, he being the highest bidder, for the sum of \$ 1.00 + COSTS and made the following appropriations, viz:

SHERIFF COSTS:

	\$
RDR	15.00
SERVICE	15.00
MILEAGE	9.88
LEVY	15.00
MILEAGE	9.88
POSTING	15.00
CSDS	10.00
COMMISSION 2%	
POSTAGE	4.04 <u>3.96</u>
HANDBILLS	15.00
DISTRIBUTION	15.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L LEVY	10.00
<u>1.00</u>	
RETURNS/DEPUTIZE	9.00
COPIES	5.00
TOTAL SHERIFF COSTS	\$ 218.80

DEED COSTS:

REG & REC	15.50
ACKNOWLEDGEMENT	5.00
TRANSFER TAX 2%	-

TOTAL DEED COSTS \$ 20.50

DEBT & INTEREST:

AMOUNT DUE	124,614.80
INT. FROM 9-12-00	
TO SALE DATE @#20.48 to be added	
TOTAL	\$ 124,614.80

COSTS:

ATTORNEY FEES	—
PRO SATISFACTION	—
ADVERTISING	469.80
LATE CHARGE & FEES	—
TAXES-Collector	—
TAXES-Tax Claim	—
COSTS OF SUIT-TO BE ADDED	\$ 178.70
MORTGAGE SEARCH	18.75
COST	
DEED COSTS	20.50
ATTORNEY COMMISSION	—
SHERIFF COSTS	218.80
LEGAL JOURNAL	65.25
REFUND OF ADVANCE	—
REFUND OF SURCHARGE	—
list of fees	100.00

TOTAL COSTS \$ 1,071.80

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE  
UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE WITHIN (10) TEN DAYS FROM THIS DATE.

CHESTER A. HAWKINS SHERIFF

COR