

00-880-CD
DEPOSIT BANK -vs- JAMES P. DWORETZKY etal

Deposit Bank 00-880-03
James Doretsky et al
McGrassina Assoc.

yes - SASE
time stamped
Receipt
Copy

412-281-4333

Kelly

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK, a division
of First Commonwealth Bank,

Plaintiff,

vs.

JAMES P. DWORETZKY and
LISA A. DWORETZKY, husband
and wife,

Defendants.

CIVIL DIVISION

NO.: 00-880-CD

Scheduled Sheriff's Sale Date:

April 6, 2001

TYPE OF PLEADING:

Pa. R.C.P. RULE 3129.2(c)
AFFIDAVIT OF SERVICE AS TO
DEFENDANTS/OWNERS,
LIENHOLDERS AND PARTIES IN
INTEREST

FILED ON BEHALF OF:

Deposit Bank,
Plaintiff

COUNSEL OF RECORD FOR THIS
PARTY:

Joseph R. Lawrence, Esquire
PA I.D. No. 65709

McGRATH & ASSOCIATES, P.C.
1500 Union Bank Building
306 Fourth Avenue
Pittsburgh, Pennsylvania 15222

TELEPHONE: (412) 281-4333

FIRM NO. 025

FILED

MAR 05 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK, a division
of First Commonwealth Bank,

CIVIL DIVISION

No.: 00-880-CD

Plaintiff,

vs.

JAMES P. DWORETZKY and
LISA A. DWORETZKY, husband
and wife,

Defendants.

**Pa. R.C.P. RULE 3129.2(c) AFFIDAVIT OF SERVICE AS TO
DEFENDANTS/OWNERS, LIENHOLDERS AND PARTIES IN INTEREST**

I, Joseph R. Lawrence, Esquire, Attorney for Plaintiff, **Deposit Bank**, being duly sworn according to law, deposes and makes the following Affidavit regarding service of the Notice of the Sale of Real Estate, a true and correct copy of which is marked **Exhibit "A,"** attached hereto, and made a part hereof, on all persons named in Paragraphs 1 through 9 of Plaintiff's Affidavit Pursuant to Rule 3129.1 as follows:

1. On February 7, 2001, undersigned counsel served the Defendant/Owner, **James P. Dworetzky**, with a Notice of the Sale of Real Estate at 923 Treasure Lake, DuBois, Pennsylvania 15801, by first class mail, postage pre-paid, and Certified Mail, Return Receipt Requested, pursuant to Pa. R.C.P. 3129.2(c)(1)(i)(B). The U.S. Postal Service Form 3811 - Return Receipt and the U.S. Postal Service Form 3817 - Certificate of Mailing are collectively marked as **Exhibit "B,"** attached hereto and made a part hereof.

2. On February 7, 2001, undersigned counsel served the Defendant/Owner, **Lisa A. Dworetzky**, with a Notice of the Sale of Real Estate at 923 Treasure Lake, DuBois, Pennsylvania 15801, by first class mail, postage pre-paid, and Certified Mail, Return Receipt Requested, pursuant to Pa. R.C.P. 3129.2(c)(1)(i)(B). The U.S. Postal Service Form 3811 - Return Receipt and the U.S. Postal Service Form 3817 - Certificate of Mailing are collectively marked as **Exhibit "C,"** attached hereto and made a part hereof.

3. On February 7, 2001, undersigned counsel served the Judgment Holder, **DuBois Regional Medical Center**, with a Notice of the Sale of Real Estate by ordinary mail at P.O. Box 447, DuBois, Pennsylvania 15801. The U.S. Postal Service Form 3817 - Certificate of Mailing is marked as **Exhibit "D,"** attached hereto and made a part hereof.

4. On February 7, 2001, undersigned counsel served the Judgment Holder, **Commonwealth of Pennsylvania, Department of Revenue, Bureau of Compliance**, with a Notice of the Sale of Real Estate by ordinary mail at Department 280946, Harrisburg, Pennsylvania 17128. The U.S. Postal Service Form 3817 - Certificate of Mailing is marked as **Exhibit "E,"** attached hereto and made a part hereof.

5. On February 7, 2001, undersigned counsel served the Party in Interest, **Clearfield County Tax Claim Bureau**, with a Notice of the Sale of Real Estate by ordinary mail at 230 E. Market Street, Suite 121, Clearfield, Pennsylvania 16830. The U.S. Postal Service Form 3817 - Certificate of Mailing is marked as **Exhibit "F,"** attached hereto and made a part hereof.

6. On February 7, 2001, undersigned counsel served the Party in Interest, **Leann Collins, Sandy Township Tax Collector**, with a Notice of the Sale of Real Estate by ordinary mail at P.O. Box 252, DuBois, Pennsylvania 15801. The U.S. Postal Service Form 3817 - Certificate of Mailing is marked as **Exhibit "G,"** attached hereto and made a part hereof.

7. On February 7, 2001, undersigned counsel served the Party in Interest, **City of DuBois Tax Collector**, with a Notice of the Sale of Real Estate by ordinary mail at P.O. Box 408, DuBois, Pennsylvania 15801. The U.S. Postal Service Form 3817 - Certificate of Mailing is marked as **Exhibit "H,"** attached hereto and made a part hereof.

8. On February 7, 2001, undersigned counsel served the Party in Interest, **Domestic Relations for Clearfield County**, with a Notice of the Sale of Real Estate by ordinary mail at 230 E. Market Street, Clearfield, Pennsylvania 16830. The U.S. Postal Service Form 3817 - Certificate of Mailing is marked as **Exhibit "I,"** attached hereto and made a part hereof.

9. On February 7, 2001, undersigned counsel served the Party in Interest, **George Nixon**, with a Notice of the Sale of Real Estate by ordinary mail at Lamery Drive, Penfield, Pennsylvania 15849. The U.S. Postal Service Form 3817 - Certificate of Mailing is marked as **Exhibit "J,"** attached hereto and made a part hereof.

I verify that the facts contained in this Affidavit are true and correct based upon my personal knowledge, information and belief.

McGRATH & ASSOCIATES, P.C.

By: 

Joseph R. Lawrence, Esquire

PA I.D. No. 65709

Attorneys for Deposit Bank

1500 Union Bank Building

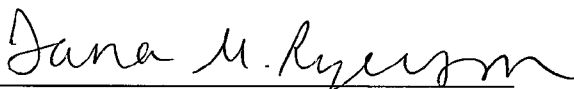
306 Fourth Avenue

Pittsburgh, Pennsylvania 15222-2102

Telephone: (412) 281-4333

SWORN TO AND SUBSCRIBED BEFORE ME THIS

2nd DAY OF March, 2001.



Notary Public

Notarial Seal
Dana M. Ryerson, Notary Public
Pittsburgh, Allegheny County
My Commission Expires Sept. 22, 2003
Member, Pennsylvania Association of Notaries

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK, a division of
First Commonwealth Bank,

Plaintiff,

vs.

JAMES P. DWORETZKY and
LISA A. DWORETZKY, husband
and wife

Defendants.

CIVIL DIVISION

NO.: 00-880-CD

TYPE OF PLEADING:

NOTICE OF SHERIFF'S SALE OF
REAL ESTATE

FILED ON BEHALF OF:

Deposit Bank,
Plaintiff

COUNSEL OF RECORD FOR THIS
PARTY:

Joseph R. Lawrence, Esquire
PA I.D. No. 65709

McGRATH & ASSOCIATES, P.C.
1500 Union Bank Building
306 Fourth Avenue
Pittsburgh, Pennsylvania 15222

TELEPHONE: (412) 281-4333

FIRM NO. 025

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK, a division
of First Commonwealth Bank,

Plaintiff,

vs.

JAMES P. DWORETZKY and
LISA A. DWORETZKY, husband
and wife,

Defendants.

CIVIL DIVISION

No.: 00-880-CD

NOTICE OF SHERIFF'S SALE OF REAL ESTATE

TO: James P. Dworetzky
923 Treasure Lake
DuBois, PA 15801

Lisa A. Dworetzky
923 Treasure Lake
DuBois, PA 15801

DuBois Regional Medical Center
P.O. Box 447
DuBois, PA 15801

Commonwealth of PA
Department of Revenue
Bureau of Compliance
Department 280946
Harrisburg, PA 17128

Clearfield County Tax Claim Bureau
230 E. Market Street, Suite 121
Clearfield, PA 16830

City of DuBois Tax Collector
P.O. Box 408
DuBois, PA 15801

Domestic Relations for Clearfield County
230 E. Market Street, Clearfield, PA 16830

Leann Collins
Sandy Township Tax Collector
P.O. Box 252, DuBois, PA 15801

George Nixon
Lamery Drive
Penfield, PA 15849

TAKE NOTICE that by virtue of a Writ of Execution issued out of the Court of Common Pleas of Clearfield County, Pennsylvania, and to the Sheriff of Clearfield County, directed, there will be exposed to Public Sale in the Clearfield County Courthouse, Sheriff's Office, on Friday, April 6, 2001, at 10:00 A.M., the following described real estate, of which James P. Dworetzky and Lisa A. Dworetzky, husband and wife, are the owners or reputed owners:

ALL the right, title, interest and claim of: James P. Dworetzky and Lisa A. Dworetzky, husband and wife, of, in and to:

ALL that certain tract of land designated as Lot No. 17, Section No. 8, Santa Catalina, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25.

EXCEPTING AND RESERVING THEREFROM AND SUBJECT TO:

1. All easements, rights of way, reservations and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake, Inc. recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by the Developer or Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.

BEING the same property which Alain Jean Silberstein and Monique Marie Silberstein, husband and wife, by Claudia Granche, their Attorney-in-Fact, by Deed dated January 21, 1992, and recorded in the Recorder's Office of Clearfield County, Pennsylvania, in Deed Book Volume 1441, Page 513, granted and conveyed unto James P. Dworetzky and Lisa A. Dworetzky, husband and wife.

The said Writ of Execution has been issued on a confessed judgment action of Deposit Bank v. James P. Dworetzky and Lisa A. Dworetzky, husband and wife, at Execution Number 00-880-CD, in the amount of \$429,300.40.

Claims against the property must be filed with the Sheriff before the above sale date.

Claims to proceeds must be made with the Office of the Sheriff before distribution.

Schedule of Distribution will be filed with the Office of the Sheriff no later than thirty (30) days from sale date.

Exceptions to Distribution or a Petition to Set Aside the Sale must be filed with the Office of the Sheriff no later than ten (10) days from the date when Schedule of Distribution is filed in the Office of the Sheriff.

Attached hereto is a copy of the Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

YOU SHOULD TAKE THIS NOTICE AND THE WRIT OF EXECUTION 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 ADVICE.

**COURT ADMINISTRATOR'S OFFICE
ONE NORTH 2ND STREET
CLEARFEILD, PA 16830
(814) 765-2641**

You may have legal rights to prevent the Sheriff's Sale and the loss of your property. In order to exercise those rights, prompt action on your part is necessary.

You may have the right to prevent or delay the Sheriff's Sale by filing, before the sale occurs, a petition to open or strike the judgment or a petition to stay the execution.

If the judgment was entered because you did not file with the Court any defense or objection, you might have within twenty (20) days after service of the Complaint for Mortgage Foreclosure and Notice to Defend, you may have the right to have the judgment opened if you promptly file a petition with the Court alleging a valid defense and a reasonable excuse for failing to file the defense on time. If the judgment is opened the Sheriff's Sale would ordinarily be delayed pending a trial of the issue of whether the plaintiff has a valid claim to foreclosure the mortgage or judgment.

You may also have the right to have the judgment stricken if the Sheriff has not made a valid return of service of the Complaint and Notice to Defend or if the judgment was entered before twenty (20) days after service or in certain other events. To exercise this right you would have to file a petition to strike the judgment.

You may also have the right to petition the Court to stay or delay the execution and the Sheriff's Sale if you can show a defect in the Writ of Execution of service or demonstrate any other legal or equitable right.

YOU MAY ALSO HAVE THE RIGHT TO HAVE THE SHERIFF'S SALE SET ASIDE IF THE PROPERTY IS SOLD FOR A GROSSLY INADEQUATE PRICE OR, IF THERE ARE DEFECTS IN THE SHERIFF'S SALE. TO EXERCISE THIS RIGHT, YOU SHOULD FILE A PETITION WITH THE COURT AFTER THE SALE AND BEFORE THE SHERIFF HAS DELIVERED HIS DEED TO THE PROPERTY. THE SHERIFF WILL DELIVER THE DEED IF NO PETITION TO SET ASIDE THE SALE IS FILED WITHIN TEN (10) DAYS FROM THE DATE WHEN THE SCHEDULE OF DISTRIBUTION IS FILED IN THE OFFICE OF THE SHERIFF.

McGRATH & ASSOCIATES, P.C.

By: 

Joseph R. Lawrence, Esquire
Attorney for Plaintiff

WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION - LAW

Deposit Bank, a division of
First Commonwealth Bank,
Plaintiffs

NO: 2000-880-CD

James P. Dworetzky and Lisa A.
Dworetzky, husband and wife,
Defendants

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the debt, interest and costs due DEPOSIT BANK, Plaintiff (s) from JAMES P. DWORETZKY AND LISA A. DWORETZKY, husband and wife, Defendant (s).

- (1) You are directed to levy upon the property of the defendant (s) and to sell interest (s) therein:
PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED.
- (2) You are also directed to attach the property of the defendant (s) not levied upon in the possession of:
GARNISHEE (S) as follows: and to notify the garnishee (s) that: (a) an attachment has been issued; (b) the garnishee (s) is/are enjoined from paying any debt to or for the account of the defendant (s) and from delivering any property of the defendant (s) or otherwise disposing thereof;
- (3) If property of the defendant (s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

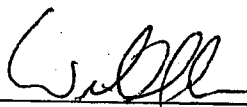
AMOUNT DUE: \$417,216.24
INTEREST: From 12/11/00 to 5/6/01 \$12,084.16

PAID: \$173.88

SHERIFF: \$
PROTH. COSTS: \$
OTHER COSTS: \$

ATTY'S COMM: \$
DATE: January 12, 2001

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


William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this _____ day
of _____ A.D. _____
at _____ A.M./P.M.

REQUESTING PARTY NAME:
Joseph R. Lawrence, Esq.

Sheriff

ALL the right, title, interest and claim of: James P. Dworetzky and Lisa A. Dworetzky, husband and wife, of, in and to:

ALL that certain tract of land designated as Lot No. 17, Section No. 9, Santa Catalina, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25.

EXCEPTING AND RESERVING THEREFROM AND SUBJECT TO:

1. All easements, rights of way, reservations and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake, Inc. recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by the Developer or Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.

BEING the same property which Alain Jean Silberstein and Monique Marie Silberstein, husband and wife, by Claudia Granche, their Attorney-in-Fact, by Deed dated January 21, 1992, and recorded in the Recorder's Office of Clearfield County, Pennsylvania, in Deed Book Volume 1441, Page 513, granted and conveyed unto James P. Dworetzky and Lisa A. Dworetzky, husband and wife.

DBV 1441
Page 513

Exhibit "A"

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 P. Dworetzky
923 Treasure Lake
DuBois, PA 15801

COMPLETE THIS SECTION ON DELIVERY

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

C. Signature

☒ Certified Mail ☐ Express Mail ☐ Agent

☐ Registered ☐ Return Receipt for Merchandise ☐ Addressee

☐ Insured Mail ☐ C.O.D. ☐ Yes

4. Restricted Delivery? (Extra Fee) ☐ No

2. Article Number (Copy from service label)

7099 3406 0009 9539 9127

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**U.S. Postal Service
CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

Postage \$ 1.55
Certified Fee 1.90
Return Receipt Fee (Endorsement Required) 1.50
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$ 3.95

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

James P. Dworetzky
923 Treasure Lake
DuBois, PA 15801

PS Form 3800, July 1999

See Reverse for Instructions

**U.S. POSTAL SERVICE
CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER

Received From:

McGrath & Associates
1500 Union Bank Building
306 Fourth Ave.
Pittsburgh, PA 15222

One piece of ordinary mail addressed to:

James P. Dworetzky
923 Treasure Lake
DuBois, PA 15801

PS Form 3817, Mar. 1989

EXHIBIT "B"

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:

Lisa A. Dworetzky
923 Treasure Lake
DuBois, PA 15801

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

2/30/99

C. Signature

X

James Dworetzky

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

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)

7099 3400 0009 9539 8694

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

Lisa A. Dworetzky

Postage \$ 1.55

Certified Fee 1.90

Return Receipt Fee
(Endorsement Required) 1.50Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees \$ 3.95

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

Lisa A. Dworetzky

Street, Apt. No., or P.O. Box No.

923 Treasure Lake

City, State, ZIP+4

DuBois, PA 15801

PS Form 3800, July 1999

See Reverse for Instructions

U.S. POSTAL SERVICE

CERTIFICATE OF MAILING

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL. DOES NOT PROVIDE FOR INSURANCE—POSTMASTER

Received From:

McGrath & Associates, P.C.
1500 Union Bank Building
306 4th Ave.
Pittsburgh, PA 15222

One piece of ordinary mail addressed to:

Lisa A. Dworetzky
923 Treasure Lake
DuBois, PA 15801

PS Form 3817, Mar. 1989

EXHIBIT "C"

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER			
Received From:		*****	
McGrath & Associates, P.		111	
1500 Union Bank Bldg		0.75	
306 Fourth Avenue		U.S. POSTAGE	
Pittsburgh, PA 15222		PB METER	
One piece of ordinary mail addressed to:		8424676	
DuBois Regional Medical Center		PITTSBURGH, PA	
P.O. Box 447		FEB-701	
DuBois, PA 15801		PA	

PS Form 3817, Mar. 1989

EXHIBIT "D"

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER			
Received From:		*****	
McGrath & Associates, PC 1500 Union Bank Building 306 Fourth Avenue Pittsburgh, PA 15222		0.75 U.S. POSTAGE	
One piece of ordinary mail addressed to:		PB METER 8424676	
Commonwealth of PA Dept. of Revenue/Dept. 28094 Bureau of Compliance Harrisburg, PA 17128		PITTSBURGH, PA FEB 7 2001 PA	

PS Form 3817, Mar 1989

EXHIBIT "E"

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT
PROVIDE FOR INSURANCE—POSTMASTER

Received From: McGrath & Associates, P
1500 Union Bank Building
304 Fourth Avenue
Pittsburgh, PA 15001

One piece of ordinary mail addressed to:
Leann Collins
Sandy Township Tax Collector
P.O. Box 252
DuBois, PA 15801

0.75
U.S. POSTAGE
PS METER
8424676
FEB 7 2001
PITTSBURGH PA FOUR
PITTSBURGH PA
FEB 7 2001
PA

PS Form 3817, Mar. 1989

EXHIBIT "G"

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER			
Received From:		*****	
1500 Union Bank Building		FEB 17 2001	
306 Fourth Avenue		FEB 17 2001	
Pittsburgh, PA 15222		FEB 17 2001	
One piece of ordinary mail addressed to:		U.S. POSTAGE	
City of DuBois Tax Collector		PM METER 8424676	
P.O. Box 408		PA	
DuBois, PA 15801		FEB 17 2001	

PS Form 3817, Mar. 1989

EXHIBIT "H"

U.S. POSTAL SERVICE	CERTIFICATE OF MAILING	*****
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER		
Received From: <u>McGrath & Associates</u> <u>1500 Union Bank Building</u> <u>306 Fourth Avenue</u> <u>Pittsburgh, PA 15222</u>		0.75 U.S. POSTAGE PG METER 8424676
One piece of ordinary mail addressed to: <u>Domestic Relations for Clearfield</u> <u>County</u> <u>230 E. Market Street</u> <u>Clearfield, PA 16830</u>		FEB 7 2001 PITTSBURGH PA

PS Form 3817, Mar. 1989

EXHIBIT "I"

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT
PROVIDE FOR INSURANCE--POSTMASTER

Received From: *McCraith & Associates*
1500 Union Bank Building
306 Fourth Avenue
Pittsburgh, PA 15849

One piece of ordinary mail addressed to:
George Nixon
Lamery Drive
Penfield, PA 15849

0.75
U.S. POSTAGE
PB METER
8424676
PITTSBURGH, PA
FEB 7 2001
PITTSBURGH, PA
FEB 7 2001
PA

PS Form 3817, Mar. 1989

EXHIBIT "J"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK, a division
of First Commonwealth Bank,

Plaintiff,

vs.

JAMES P. DWORETZKY and
LISA A. DWORETZKY, husband
and wife,

Defendants.

CIVIL DIVISION

NO.: 00-880-CD

TYPE OF PLEADING:

PRAECIPE FOR WRIT OF EXECUTION

FILED ON BEHALF OF:
DEPOSIT BANK,
Plaintiff

COUNSEL OF RECORD FOR THIS
PARTY:

Joseph R. Lawrence, Esquire
PA I.D. No. 65709

Derek J. Ferace, Esquire
PA I.D. No. 83732

McGRATH & ASSOCIATES, P.C.
1500 Union Bank Building
306 Fourth Avenue
Pittsburgh, PA 15222
TELEPHONE NO.: (412) 281-4333

FIRM NO.: 025

FILED

JAN 12 2001

William A. Shaw
Prothonotary

WAS

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK, a division
of First Commonwealth Bank,

CIVIL DIVISION

Plaintiff,

No.: 00-880-CD

vs.

⁵⁻⁴
JAMES P. DWORETZKY and
⁶⁻⁴LISA A. DWORETZKY, husband
and wife,

Defendants.

PRAECIPE FOR WRIT OF EXECUTION

TO: PROTHONOTARY

Please issue a Writ of Execution, directed to the Sheriff of Clearfield County, against the Defendants, **James P. Dworetzky and Lisa A. Dworetzky**, with respect to the property described in **Exhibit "A"** attached hereto, as follows:

Amount Due	\$417,216.24
Interest from 12/11/00 - 5/6/01	\$ 12,084.16
Costs (to be added)	\$ _____
TOTAL	\$429,300.40

McGRATH & ASSOCIATES, P.C.

By: 

Joseph R. Lawrence, Esquire
PA I.D. No. 65709

McGRATH & ASSOCIATES, P.C.

1500 Union Bank Building

306 Fourth Avenue

Pittsburgh, Pennsylvania 15222-2102

Telephone (412) 281-4333

ALL the right, title, interest and claim of: James P. Dworetzky and Lisa A. Dworetzky, husband and wife, of, in and to:

ALL that certain tract of land designated as Lot No. 17, Section No. 0, Santa Catalina, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25.

EXCEPTING AND RESERVING THEREFROM AND SUBJECT TO:

1. All easements, rights of way, reservations and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake, Inc. recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by the Developer or Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.

BEING the same property which Alain Jean Silberstein and Monique Marie Silberstein, husband and wife, by Claudia Granche, their Attorney-in-Fact, by Deed dated January 21, 1992, and recorded in the Recorder's Office of Clearfield County, Pennsylvania, in Deed Book Volume 1441, Page 513, granted and conveyed unto James P. Dworetzky and Lisa A. Dworetzky, husband and wife.

DBV 1441
Page 513

Exhibit "A"

WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW

Deposit Bank, a division of
First Commonwealth Bank,
Plaintiffs

NO: 2000-880-CD

James P. Dworetzky and Lisa A.
Dworetzky, husband and wife,
Defendants

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the debt, interest and costs due DEPOSIT BANK, Plaintiff (s) from JAMES P.
DWORETZKY AND LISA A. DWORETZKY, husband and wife, Defendant (s).

- (1) You are directed to levy upon the property of the defendant (s) and to sell interest (s) therein:
PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED.
- (2) You are also directed to attach the property of the defendant (s) not levied upon in the possession of:

GARNISHEE (S) as follows: and to notify the garnishee (s) that: (a) an attachment has been issued; (b) the garnishee (s) is/are enjoined from paying any debt to or for the account of the defendant (s) and from delivering any property of the defendant (s) or otherwise disposing thereof;
- (3) If property of the defendant (s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE: \$417,216.24
INTEREST: From 12/11/00 to 5/6/01 \$12,084.16

PAID: \$173.88

SHERIFF: \$
PROTH. COSTS: \$
OTHER COSTS: \$

ATTY'S COMM: \$
DATE: January 12, 2001

William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this _____ day
of _____ A.D. _____
at _____ A.M./P.M.

REQUESTING PARTY NAME:
Joseph R. Lawrence, Esq.

Sheriff

ALL the right, title, interest and claim of: **James P. Dworetzky and Lisa A. Dworetzky**, husband and wife, of, in and to:

ALL that certain tract of land designated as Lot No. 17, Section No. 0, Santa Catalina, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25.

EXCEPTING AND RESERVING THEREFROM AND SUBJECT TO:

1. All easements, rights of way, reservations and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake, Inc. recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by the Developer or Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.

BEING the same property which Alain Jean Silberstein and Monique Marie Silberstein, husband and wife, by Claudia Granche, their Attorney-in-Fact, by Deed dated January 21, 1992, and recorded in the Recorder's Office of Clearfield County, Pennsylvania, in Deed Book Volume 1441, Page 513, granted and conveyed unto James P. Dworetzky and Lisa A. Dworetzky, husband and wife.

DBV 1441
Page 513

Exhibit "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK,

CIVIL DIVISION

Plaintiff,

NO.: 00-880-CD

vs.

54
64
JAMES P. DWORETZKY and
LISA A. DWORETZKY,

TYPE OF PLEADING:

PRAECIPE FOR DEFAULT JUDGMENT

Defendants.

FILED ON BEHALF OF:
DEPOSIT BANK
Plaintiff

COUNSEL OF RECORD FOR THIS
PARTY:

Derek J. Ferace, Esquire
PA I.D. No. 83732

Joseph R. Lawrence, Esquire
PA I.D. No. 65709

McGRATH & ASSOCIATES, P.C.
1500 Union Bank Building
306 Fourth Avenue
Pittsburgh, PA 15222

TELEPHONE NO.: (412) 281-4333

FIRM NO.: 025

FILED

JAN 08 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK,

CIVIL DIVISION

Plaintiff,

No.: 00-880-CD

vs.

JAMES P. DWORETZKY and
LISA A. DWORETZKY,

Defendants.

PRAECIPE FOR DEFAULT JUDGMENT

TO: PROTHONOTARY

Please enter a default judgment in the above-captioned case in favor of Plaintiff, **DEPOSIT BANK**, and against the Defendants, **James P. Dworetzky and Lisa A. Dworetzky**, in the amount of:

Principal	\$ 348,163.26
Interest to 12/10/00	\$ 21,117.20
Late Fees to 12/10/00	\$ 5,171.40
Attorneys' Fees	<u>\$ 42,764.38</u>

TOTAL **\$417,216.24**

plus interest from December 10, 2000 at the contractual rate as set forth in the Note.

McGRATH & ASSOCIATES, P.C.

By: 

Joseph R. Lawrence, Esquire

Attorneys for Plaintiff

1500 Union Bank Building

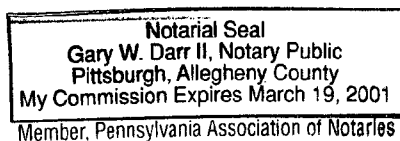
306 Fourth Avenue

Pittsburgh, Pennsylvania 15222-2102

Telephone (412) 281-4333

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF ALLEGHENY)

Gary W. Daw II
Notary Public



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK,

CIVIL DIVISION

Plaintiff,

No.: 00-880-CD

vs.

JAMES P. DWORETZKY and
LISA A. DWORETZKY,

Defendants.

TO: JAMES P. DWORETZKY
801 E. DuBois Avenue
DuBois, PA 15801

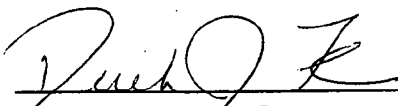
DATE OF NOTICE: August 25, 2000

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN 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.

**COURT ADMINISTRATOR'S OFFICE
ONE NORTH 2ND STREET
CLEARFEILD, PA 16830
(814) 765-2641**

McGRATH & ASSOCIATES, P.C.

By: 
Derek J. Ferace, Esquire
Attorneys for Plaintiff
1500 Union Bank Building
306 Fourth Avenue
Pittsburgh, Pennsylvania 15222
Telephone: (412) 281-4333

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT
PROVIDE FOR INSURANCE—POSTMASTER

Received From:

McGRATH & ASSOCIATES, P.C.

ATTORNEYS

1500 UNION BANK BUILDING

306 FOURTH AVENUE

PITTSBURGH, PENNSYLVANIA 15222-2162

One piece of ordinary mail addressed to:

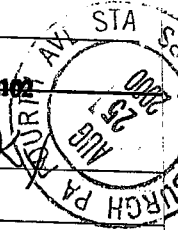
James P. Dworetz

801 E. DuBois Ave.


DuBois PA 15801

0.60
U.S. POSTAGE

PS METER
8424676

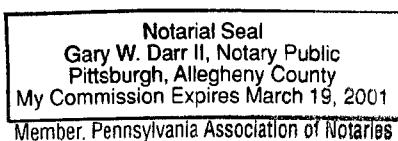


COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF ALLEGHENY } SS:



 Joseph R. Lawrence, Esquire

of January, 2006.
Gary W. Davis II
Notary Public



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK,

CIVIL DIVISION

Plaintiff,

No.: 00-880-CD

vs.

JAMES P. DWORETZKY and
LISA A. DWORETZKY,

Defendants.

TO: LISA A. DWORETZKY
801 E. DuBois Avenue
DuBois, PA 15801

DATE OF NOTICE: August 25, 2000

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN 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.

*COURT ADMINISTRATOR'S OFFICE
ONE NORTH 2ND STREET
CLEARFEILD, PA 16830
(814) 765-2641*

McGRATH & ASSOCIATES, P.C.

By: 

Derek J. Ferace, Esquire

Attorneys for Plaintiff

1500 Union Bank Building

306 Fourth Avenue

Pittsburgh, Pennsylvania 15222

Telephone: (412) 281-4333

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT
PROVIDE FOR INSURANCE—POSTMASTER

Receiver

MCCRATH & ASSOCIATES, P.C.

ATTORNEYS

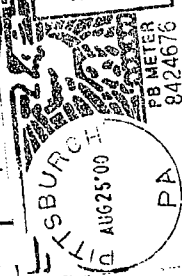
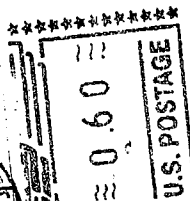
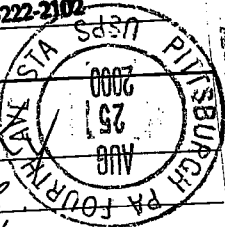
1500 UNION BANK BUILDING

306 FOURTH AVENUE

PITTSBURGH, PENNSYLVANIA 15222-2102

One piece of ordinary mail addressed to:

Lisa A Dworetzky
801 E DuBois Ave
DuBois, PA 15801



PS Form 3817, Mar. 1989

11

2000.2.24 11:11 AM
McCrath & Associates, P.C.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK,

CIVIL DIVISION

Plaintiff,

No.: 00-880-CD

COPY

vs.

JAMES P. DWORETZKY and
LISA A. DWORETZKY,

Defendants.

NOTICE OF ORDER, DECREE OR JUDGMENT

TO: ☐ PLAINTIFF
 ☒ DEFENDANT
 ☐ ADDITIONAL DEFENDANT

You are hereby notified that an Order, Decree or Judgment was entered in the above-captioned proceeding on _____.

☐ A copy of the Order or Decree is enclosed,

or

☒ The judgment is as follows: \$417,216.24, plus interest from December 10, 2000 at the contractual rate under the Note of \$82.21 per diem, additional late charges and costs of collection

Deputy

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK,

CIVIL DIVISION

Plaintiff,

No.: 00-880-CD

COPY

vs.

JAMES P. DWORETZKY and
LISA A. DWORETZKY,

Defendants.

NOTICE OF ORDER, DECREE OR JUDGMENT

TO: ☐ PLAINTIFF
 ☒ DEFENDANT
 ☐ ADDITIONAL DEFENDANT

You are hereby notified that an Order, Decree or Judgment was entered in the above-captioned proceeding on _____.

☐ A copy of the Order or Decree is enclosed,

or

☒ The judgment is as follows: \$417,216.24, plus interest from December 10, 2000 at the contractual rate under the Note of \$82.21 per diem, additional late charges and costs of collection

Deputy

COPY

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

Deposit Bank
Plaintiff(s)

No.: 2000-00880-CD

Real Debt: \$417,216.24

Atty's Comm:

Vs.

Costs: \$

Int. From:

James Dworetzky
Lisa A. Dworetzky
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: January 8, 2001

Expires: January 8, 2006

Certified from the record this 8th day of January, 2001

William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

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

Plaintiff/Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

(S) DEPOSIT BANK,

Plaintiff,

vs.

(J) JAMES P. DWORETZKY and
(L) LISA A. DWORETZKY,

Defendants.

CIVIL DIVISION

NO.: 00-886-CD

TYPE OF PLEADING:

COMPLAINT TO CONFORM
CONFESSED JUDGMENT

FILED ON BEHALF OF:
DEPOSIT BANK
Plaintiff

COUNSEL OF RECORD FOR THIS
PARTY:

Derek J. Ferace, Esquire
PA I.D. No. 83732

Joseph R. Lawrence, Esquire
PA I.D. No. 65709

McGRATH & ASSOCIATES, P.C.
1500 Union Bank Building
306 Fourth Avenue
Pittsburgh, PA 15222

TELEPHONE NO.: (412) 281-4333

FIRM NO.: 025

FILED

JUL 28 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK,

CIVIL DIVISION

Plaintiff,

No.:

vs.

JAMES P. DWORETZKY and
LISA A. DWORETZKY,

Defendants.

NOTICE TO DEFEND

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 THE COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND THE 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 ANT MONEY CLAIMED IN THE COMPLAINT OR FOR ANY CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE OR KNOW AN LAWYER, THEN YOU SHOULD GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

**COURT ADMINISTRATOR'S OFFICE
ONE NORTH 2ND STREET
CLEARFEILD, PA 16830
(814) 765-2641**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK,

CIVIL DIVISION

Plaintiff,

No.:

vs.

JAMES P. DWORETZKY and
LISA A. DWORETZKY,

Defendants.

COMPLAINT TO CONFORM CONFESED JUDGMENT

NOW COMES, the Plaintiff, Deposit Bank, by and through its attorneys, McGrath & Associates, P.C., and files this Complaint to Conform Confessed Judgment and in support thereof states as follows:

1. Plaintiff, Deposit Bank, is a banking institution with its principal place of business located at 2 East Long Avenue, Dubois, Pennsylvania 15801.
2. Defendants, James P. Dworetzky and Lisa A. Dworetzky, are adult individuals who have a current mailing address of 801 East Dubois Avenue, Dubois, Pennsylvania 15801 (hereinafter referred to as "Defendants").
3. On or about June 20, 1994, the Defendants executed a Mortgage Note in favor of Plaintiff in the original principal amount of \$583,500.00 and containing a Warrant to Confess Judgment. A true and correct copy of the Mortgage Note is marked as **Exhibit "A"**, attached hereto and made part hereof.

4. On June 20, 1995, the Plaintiff caused a Judgment by Confession to be entered in the amount of \$589,773.56 against the Defendants in the Court of Common Pleas of Clearfield County at Case No. 95-889-CD. A true and correct copy of the Complaint in Confession of Judgment is marked as **Exhibit "B"**, attached hereto and made part hereof.

5. On May 8, 2000, said Confessed Judgment was revived in the amount of \$359,771.52 against the Defendants in the Court of Common Pleas of Clearfield County at Case No. 95-889-CD. A true and correct copy of the Statement of Judgment is marked as **Exhibit "C"**, attached hereto and made part hereof.

6. The Judgment is a lien on real property owned by the Defendants in this County.

7. As of July 14, 2000, the amount presently due to the Plaintiff from the Defendants is as follows:

Principal:	\$346,962.04
Interest to 7/14/2000:	\$ 8,991.05
Late fees to 7/14/2000:	<u>\$ 3,529.52</u>
TOTAL	\$359,482.61*

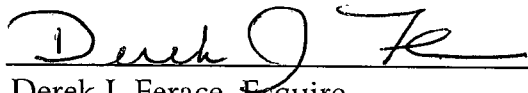
*plus Interest from 7/14/00 at the contractual rate with additional late fees together with reasonable attorneys' fees incurred by Plaintiff.

8. The underlying obligation is not a residential mortgage for \$50,000.00 or less and the notice requirement of 41 Pa. Cons. Stat. Ann. §403 does not apply.

9. Notice of the Entry of Confessed Judgment that was revived was mailed to the Defendants in accordance with Pa. R. C. P. No. 236 on May 8, 2000.

WHEREFORE, Plaintiff, Deposit Bank, respectfully requests this Court to enter judgment in the amount of \$359,482.61 against the Defendants, James P. Dworetzky and Lisa A. Dworetzky, as authorized by 41 Pa. Cons. Stat. Ann. §407.

McGRATH & ASSOCIATES, P.C.

BY: 
Derek J. Ferace, Esquire
PA I.D. No. 83732
1500 Union Bank Building
306 Fourth Avenue
Pittsburgh, PA 15222
(412) 281-4333

Mortgage Note

\$583,500.00

Du Bois

Pennsylvania

June 20

19 94

For Value Received, James P. Dworetzky and Lisa A. Dworetzky,

(hereinafter called "the Undersigned")

promises to pay to the order of Deposit Bank

lawful money of the United States of America, the sum of Five Hundred and Eighty Three Thousand and Five Hundred United States Dollars,

Dollars (\$ 583,500.00) and any additional moneys loaned or advanced by any holder hereof as hereinafter provided, as follows: Interest only monthly on money advanced to and including January 1, 1995

at 8.5%. The repayment schedule after the interest only period will be as follows: Five Hundred Eighty Three Thousand Five Hundred (\$583,500.00) Dollars, together with interest thereon at the rate of 8.5% per annum, payable within fifteen (15) years at the rate of Five Thousand Seven Hundred Forty Five and 96/100 (5,745.96) Dollars per month beginning February 1, 1995 and continuing on the same day of each month thereafter until the principal debt and interest are paid in full; said payments shall be applied, first, to payment of interest and the balance to payment of principal; said Mortgagors shall have the right to anticipate any or all payments.

"The undersigned shall have the right to prepay the principal of the loan in full at any time upon payment of the sum of 1% of the outstanding principal in addition to all other sums then due and owing on the loan. THIS NOTE ALSO CONTAINS AN ADDENDUM TO THE WARRANTIES AND AGREEMENTS THAT IS

EXPLAINED IN EXHIBIT "C" ATTACHED HERETO AND INCORPORATED HEREIN. and any balance of principal or interest remaining unpaid on December 31, 2009 shall become due and payable on said date; and in addition thereto, in the event any payment provided for herein shall become overdue, the Undersigned agrees to pay a late charge in an amount not exceeding six per cent (6%) of any such overdue payment as compensation for the additional service resulting from the default; all payments to be made at

any office of Deposit Bank

, Pennsylvania or elsewhere as shall be directed by any holder hereof.

This Note shall evidence and the Mortgage given to secure its payment shall cover and be security for any future loans or advances that may be made to or on behalf of the Undersigned by any holder hereof at any time or times hereafter and intended by the Undersigned and the then holder to be so evidenced and secured, as well as any sums paid by any holder hereof pursuant to the terms of said Mortgage, and any such loans, advances or payments shall be added to and shall bear interest at the same rate as the principal debt.

In case default be made for the space of thirty (30) days in the payment of any installment of principal or interest, or in the performance by the Undersigned of any of the other obligations of this Note or said Mortgage, the entire unpaid balance of the principal debt, additional loans or advances and all other sums paid by any holder hereof to or on behalf of the Undersigned pursuant to the terms of this Note or said Mortgage, together with unpaid interest thereon, shall at the option of the holder and without notice become immediately due and payable, and one or more executions may forthwith issue on any judgment or judgments obtained by virtue hereof; and no failure on the part of any holder hereof to exercise any of the rights hereunder shall be deemed a waiver of any such rights or of any default hereunder.

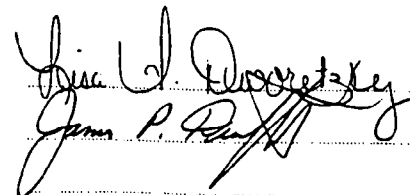
The Undersigned hereby empowers any attorney of any court of record within the United States of America or elsewhere to appear for the Undersigned and, with or without complaint filed, confess judgment, or a series of judgments, against the Undersigned in favor of any holder hereof, as of any term, for the unpaid balance of the principal debt, additional loans or advances and all other sums paid by the holder hereof to or on behalf of the Undersigned pursuant to the terms of this Note or said Mortgage, together with unpaid interest thereon, costs of suit and an attorney's commission for collection of five per cent (5%) of the total indebtedness or \$200, whichever is the larger amount, on which judgment or judgments one or more executions may issue forthwith upon failure to comply with any of the terms and conditions of this Note or said Mortgage. The Undersigned hereby forever waives and releases all errors in said proceedings, waives stay of execution, the right of inquisition and extension of time of payment, agrees to condemnation of any property levied upon by virtue of any such execution, and waives all exemptions from levy and sale of any property that now is or hereafter may be exempted by law.

This obligation shall bind the Undersigned and the Undersigned's heirs, executors, administrators and assigns, and the benefits hereof shall inure to the payee hereof and its successors and assigns. If this Note is executed by more than one person, the undertakings and liability of each shall be joint and several.

This Note is secured by a Mortgage of even date herewith, upon real estate described therein, THIS NOTE IS ALSO SECURED BY SEPARATE SECURITY AGREEMENTS, FRANCHISE ASSIGNMENT, SECURITIES ASSIGNMENT, AND LIFE INSURANCE ASSIGNMENT.

Witness the due execution hereof the day and year first above written.

Witnessed by:


James P. Dworetzky

(SEAL)

(SEAL)

(SEAL)

EXHIBIT "A"

(SEAL)

Guaranty and Suretyship Agreement

For Value Received and intending to be legally bound, the Undersigned does hereby unconditionally guarantee and become surety for the due and punctual payment of each installment of principal of and interest on the within Mortgage Note as and when each said installment shall respectively become due and payable in accordance with the terms thereof, whether at maturity or by declaration, acceleration or otherwise, as well as all additional loans or advances and all other sums paid by any holder of said Note to or on behalf of the maker thereof pursuant to the terms of said Note or the Mortgage securing the same.

The Undersigned hereby waives any presentment for payment, notice of nonpayment, demand or protest, declares that this obligation is absolute and unconditional, and agrees that it shall not be released by any extension of time for payment or by any other matter or thing whatsoever whereby the Undersigned as absolute guarantor and surety otherwise would or might be released.

In case default be made for the space of thirty (30) days in the payment of any sums due under said Mortgage Note, the Undersigned hereby empowers any attorney of any court of record within the United States of America or elsewhere to appear for the Undersigned and, with or without complaint filed, confess judgment, or a series of judgments, against the Undersigned in favor of any holder thereof, as of any term, for the unpaid balance of the principal debt, additional loans or advances and all other sums paid by any holder thereof to or on behalf of the maker of said Mortgage Note pursuant to the terms thereof or of the Mortgage securing the same, together with interest thereon, costs of suit and an attorney's commission for collection of five per cent (5%) of the total indebtedness or \$200, whichever is the larger amount, on which judgment or judgments one or more executions may issue forthwith. The Undersigned hereby forever waives and releases all errors in said proceedings, waives stay of execution, the right of inquisition and extension of time of payment, agrees to condemnation of any property levied upon by virtue of any such execution, and waives all exemptions from levy and sale of any property that now is or hereafter may be exempted by law.

These presents shall bind the Undersigned and the Undersigned's heirs, executors, administrators and assigns, and the benefits hereof shall inure to the payee of said Mortgage Note, its successors and assigns. If executed by more than one person, this obligation and the undertakings hereunder shall be joint and several.

Witness the due execution hereof this

day of

, 19

Witnessed by:

(SEAL)

(SEAL)

Mortgage
Note

FROM

TO

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - AT LAW

DEPOSIT BANK,	:	NO. 95 -	- CD
	:		
Plaintiff	:	TYPE OF CASE: CONFESSION OF	
	:	JUDGMENT	
VS.	:		
	:	TYPE OF PLEADING: COMPLAINT	
JAMES P. DWORETZKY and	:	IN CONFESSION OF JUDGMENT	
LISA A. DWORETZKY,	:		
	:	FILED ON BEHALF OF: PLAINTIFF	
Defendants	:		
	:	COUNSEL OF RECORD:	
	:	SCOTT V. JONES, ESQUIRE	
	:		
	:	SUPREME COURT NO.: 08839	
	:		
	:	BLAKLEY & JONES	
	:	90 Beaver Drive, Box 6	
	:	Du Bois, PA 15801	
	:	(814) 371-2730	

EXHIBIT "B"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - AT LAW

DEPOSIT BANK,	:	NO. 95 -	- CD
	:		
Plaintiff	:	CONFESSION OF JUDGMENT	
VS.	:		
	:		
JAMES P. DWORETZKY and	:		
LISA A. DWORETZKY,	:		
	:		
Defendants	:		

COMPLAINT (CONFESSION OF JUDGMENT)

Plaintiff files this Complaint pursuant to Pa. R.C.P. Rule 2951(b) for Judgment by Confession and avers the following:

1. Plaintiff is **DEPOSIT BANK**, a banking corporation with a place of business at 2 East Long Avenue, Du Bois, Clearfield County, Pennsylvania.
2. Defendants **JAMES P. DWORETZKY** and **LISA A. DWORETZKY** are adult individuals and have a current mailing address of 923 Treasure Lake, Du Bois, Pennsylvania 15801.
3. Attached hereto is a true and correct reproduction of the original instrument duly executed by the Defendants.
4. The attached instrument has not been assigned.
5. This judgment is contemporaneously being entered in the Court of Common Pleas of Jefferson County, Pennsylvania.

6. The Defendants are in default under the terms of the instrument attached hereto as they have not made the payments required under the same due on May 1, 1995 or any month thereafter as a result of which there is due and owing the Plaintiff by the Defendants the following sum:

a.	Principal Balance Due	\$578,623.31
b.	Unpaid Interest from 5/1/95 through 6/1/95	\$ 10,260.73
c.	Late Fees	\$ 689.52
d.	Attorneys Commission	\$ <u>200.00</u>
TOTAL		<u>\$589,773.56</u>

7. Judgment is authorized to be confessed in accordance with the warrant of attorney to confess judgment contained in the attached instrument.

WHEREFORE, Plaintiff demands judgment in the sum of \$589,773.56 as authorized by the warrant appearing in the attached instrument against Defendants **JAMES P. DWORETZKY** and **LISA A. DWORETZKY**.

BLAKLEY & JONES

BY: 

Scott V. Jones
Attorney for Plaintiff

90 Beaver Drive, Box 6
Du Bois, PA 15801

VERIFICATION

I, JERRY CLARK, Assistant Vice President of DEPOSIT BANK, being duly authorized to make this Verification, have read the foregoing Complaint in Confession of Judgment. The statements therein are correct to the best of my personal knowledge or information and belief. The underlying transaction relative to this Complaint in Confession of Judgment is a commercial transaction.

This statement and verification is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments, I may be subject to criminal penalties.


Jerry Clark

VERIFIED STATEMENT

I, James M. Baker, am duly authorized to make this Verified Statement on behalf of Deposit Bank, and I hereby verify that the statements set forth in the foregoing Complaint to Conform Confessed Judgment are true and correct to the best of my knowledge, information and belief.

I understand that false statements made herein are subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Date: July 14, 2000


James M. Baker, Sr. Vice President
DEPOSIT BANK

DEREK J. FERACE

2

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK

00-880-CD

VS

DWORETZKY, JAMES P.

COMPLAINT TO CONFORM CONFESSED JUDGMENT
SHERIFF RETURNS

NOW AUGUST 4, 2000 AT 10:51 AM DST SERVED THE WITHIN
COMPLAINT TO CONFORM CONFESSED JUDGMENT ON JAMES P.
DWORETZKY, DEFENDANT AT RESIDENCE SETTLEMENT POINT & PINE
VALLEY RD., TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY,
PENNSYLVANIA BY HANDING TO JAMES P. DWORETZKY A TRUE AND
ATTESTED COPY OF THE ORIGINAL COMPLAINT TON CONFORM
CONFESSED JUDGMENT AND MADE KNOWN TO HIM THE CONTENTS
THEREOF. SERVED BY: NEVLING.

NOW AUGUST 4, 2000 AT 10:57 AM DST SERVED THE WITHIN
COMPLAINT TO CONFORM CONFESSED JUDGMENT ON LISA A. DWORETZKY
DEFENDANT AT RESIDENCE SETTLEMENT POINT & PINE VALLEY RD.,
TREASURE LAKE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO
JAMES DWORETZKY, HUSBAND A TRUE AND ATTESTED COPY OF THE
ORIGINAL COMPLAINT TO CONFORM CONFESSED JUDGMENT AND MADE
KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: NEVLING

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

SWORN TO BEFORE ME THIS

25th 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 Mandy Hopper

CHESTER A. HAWKINS
SHERIFF

FILED

AUG 25 2000

William A. Shaw ESB
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK, a division
of First Commonwealth Bank,

Plaintiff,

vs.

JAMES P. DWORETZKY and
LISA A. DWORETZKY, husband
and wife,

Defendants.

CIVIL DIVISION

NO.: 00-880-CD

TYPE OF PLEADING:

PRAECIPE TO SATISFY JUDGMENT

FILED ON BEHALF OF:
DEPOSIT BANK
Plaintiff

COUNSEL OF RECORD FOR THIS
PARTY:

Joseph R. Lawrence, Esquire
PA I.D. No. 65709

McGRATH & ASSOCIATES, P.C.
1500 Union Bank Building
306 Fourth Avenue
Pittsburgh, PA 15222

TELEPHONE NO.: (412) 281-4333

FIRM NO.: 025

FILED

APR 26 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEPOSIT BANK, a division of
First Commonwealth Bank,

CIVIL DIVISION

No.: 00-880-CD

Plaintiff,

vs.

JAMES P. DWORETZKY and
LISA A. DWORETZKY, husband
and wife,

Defendants.

PRAECIPE TO SATISFY JUDGMENT

TO: PROTHONOTARY

Kindly satisfy the Judgment in the above-captioned matter and mark the docket accordingly.

McGRATH & ASSOCIATES, P.C.

By: _____

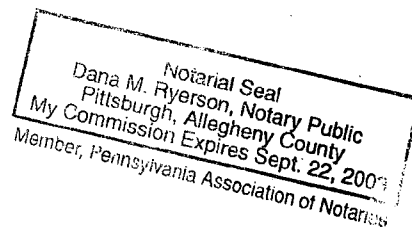
Joseph R. Lawrence, Esquire
Attorneys for Plaintiff

SWORN TO AND SUBSCRIBED

before me this 23rd day

of April, 2001.

Dana M. Ryerson
Notary Public



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Praeceptum to Satisfy Judgment was served on the following this 23rd day of April, 2001, by first-class U.S. Mail, postage-prepaid:

James P. Dworetzky
923 Treasure Lake
DuBois, PA 15801

Lisa A. Dworetzky
923 Treasure Lake
DuBois, PA 15801

McGRATH & ASSOCIATES, P.C.

By: 

Joseph R. Lawrence, Esquire
PA I.D. #65709
1500 Union Bank Building
306 Fourth Avenue
Pittsburgh, Pennsylvania 15222
Telephone Number (412) 281-4333
Attorneys for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CERTIFICATE OF SATISFACTION OF JUDGMENT

Deposit Bank

No.: 2000-00880-CD

Vs.

Debt: 417,216.24

James Dworetzky
Lisa A. Dworetzky

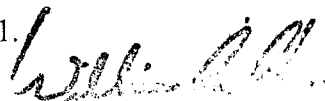
Atty's Comm.:

Interest From:

Cost: \$7.00

NOW, Thursday, April 26, 2001 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 26th day of April, A.D. 2001.



Prothonotary

WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION - LAW

Deposit Bank, a division of
First Commonwealth Bank,
Plaintiffs

NO: 2000-880-CD

James P. Dworetzky and Lisa A.
Dworetzky, husband and wife,
Defendants

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the debt, interest and costs due DEPOSIT BANK, Plaintiff (s) from JAMES P.
DWORETZKY AND LISA A. DWORETZKY, husband and wife, Defendant (s).

- (1) You are directed to levy upon the property of the defendant (s) and to sell interest (s) therein:
PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED.
- (2) You are also directed to attach the property of the defendant (s) not levied upon in the possession of:

GARNISHEE (S) as follows: and to notify the garnishee (s) that: (a) an attachment has been
issued; (b) the garnishee (s) is/are enjoined from paying any debt to or for the account of the defendant
(s) and from delivering any property of the defendant (s) or otherwise disposing thereof;
- (3) If property of the defendant (s) not levied upon and subject to attachment is found in the possession of
anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as
a garnishee and is enjoined as above stated.

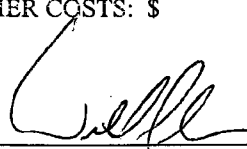
AMOUNT DUE: \$417,216.24
INTEREST: From 12/11/00 to 5/6/01 \$12,084.16

PAID: \$173.88

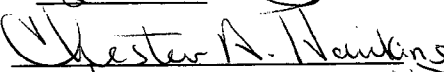
ATTY'S COMM: \$
DATE: January 12, 2001

SHERIFF: \$
PROTH. COSTS: \$
OTHER COSTS: \$

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


William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 31st day
of January A.D. 2001
at 2:12 A.M./P.M.


Sheriff by Margaret H. Pitt

REQUESTING PARTY NAME:
Joseph R. Lawrence, Esq.

ALL the right, title, interest and claim of: James P. Dworetzky and Lisa A. Dworetzky, husband and wife, of, in and to:

ALL that certain tract of land designated as Lot No. 17, Section No. 9, Santa Catalina, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25.

EXCEPTING AND RESERVING THEREFROM AND SUBJECT TO:

1. All easements, rights of way, reservations and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake, Inc. recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by the Developer or Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.

BEING the same property which Alain Jean Silberstein and Monique Marie Silberstein, husband and wife, by Claudia Granche, their Attorney-in-Fact, by Deed dated January 21, 1992, and recorded in the Recorder's Office of Clearfield County, Pennsylvania, in Deed Book Volume 1441, Page 513, granted and conveyed unto James P. Dworetzky and Lisa A. Dworetzky, husband and wife.

DBV 1441
Page 513

Exhibit "A"

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket #

10664

DEPOSIT BANK

00-880-CD

VS.

DWORETZKY, JAMES P.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, FEBRUARY 2, 2001, AT 10:00 AM O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANTS AT 923 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, 15801. PROPERTY WAS POSTED THIS DATE.

A SALE IS SET FOR FRIDAY, APRIL 6, 2001, AT 10:00AM.

NOW, FEBRUARY 15, 2001, SERVED WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY ON JAMES P. DWORETZKY, DEFENDANT, AT HIS PLACE OF EMPLOYMENT, 801 EAST DUBOIS AVENUE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, 15801, BY HANDING TO JAMES P. DWORETZKY, DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

NOW, FEBRUARY 21, 2001, RECEIVED A PHONE CALL FROM ATTORNEY LAWRENCE'S OFFICE INFORMING US THAT WE LEVIED AND POSTED THE WRONG PROPERTY. WE NEED TO LEVY AND POST LOT NO 17, SECTION 8, SANTA CATALINA, TREASURE LAKE, DUBOIS, PA.

NOW, FEBRUARY 22, 2001, AT 2:20 PM O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANTS AT LOT NO 17, SECTION 8, SANTA CATALINA, TREASURE LAKE, DUBOIS, PA. PROPERTY WAS POSTED THIS DATE.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket #

10664

DEPOSIT BANK

00-880-CD

VS.

DWORETZKY, JAMES P.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, MARCH 5, 2001, AT 11:57 AM O'CLOCK SERVED CORRECTED LEVY ON CHELSEA L. DWORETZKY, DAUGHTER OF JAMES P. DWORETZKY, DEFENDANT, AT HER PLACE OF RESIDENCE, 923 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, 15801, BY HANDING TO CHELSEA L. DWORETZKY, DAUGHTER OF JAMES P. DWORETZKY, DEFENDANT, A COPY OF THE LEVY AND NOTICE OF SALE AND MADE KNOWN TO HER THE CONTENTS THEREOF.

NOW, MARCH 5, 2001, AT 11:57 AM O'CLOCK SERVED CORRECTED LEVY ON CHELSEA L. DWORETZKY, DAUGHTER OF LISA A. DWORETZKY, DEFENDANT, AT HER PLACE OF RESIDENCE, 923 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, 15801, BY HANDING TO CHELSEA L. DWORETZKY, DAUGHTER OF LISA A. DWORETZKY, DEFENDANT, A COPY OF THE LEVY AND NOTICE OF SALE AND MADE KNOWN TO HER THE CONTENTS THEREOF.

NOW, APRIL 5, 2001, RECEIVED A FAX THAT SALE IS TO BE CANCELLED AS DEFENDANTS HAVE PAID ALL OUTSTANDING AMOUNTS DUE. A CHECK WILL BE SENT THIS OFFICE FOR POUNDAGE DUE.

NOW, APRIL 9, 2001, RECEIVED LETTER THAT SALE IS TO BE CANCELLED.

NOW, MAY 3, 2001, RECEIVED PLAINTIFF CHECK #15634 IN THE AMOUNT OF FIVE THOUSAND NINE HUNDRED FIFTY DOLLARS AND THIRTY-ONE CENTS (\$5,950.31) FOR POUNDAGE DUE ON 00-880-CD AND 00-1292-CD.

NOW, MAY 23, 2001, RETURN WRIT AS NO SALE HELD, DEFENDANTS PAID ALL OUTSTANDING AMOUNTS DUE, PAID COSTS FROM ADVANCE AND MADE REFUND OF UNUSED ADVANCE TO THE ATTORNEY.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10664

DEPOSIT BANK

00-880-CD

VS.

DWORETZKY, JAMES P.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

SHERIFF HAWKINS \$203.48

SURCHARGE 20.00

PAID BY ATTORNEY

FILED

MAY 23 2001
07:52 pm
William A. Shaw
Prothonotary

Sworn to Before Me This

23rd Day Of May 2001
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 Margaret H. Pitt
Chester A. Hawkins
Sheriff

McGRATH & ASSOCIATES, P.C.

ATTORNEYS

FAX TRANSMITTAL

Date: April 5, 2001
To: Sheriff of Clearfield County
Fax: (814) 765-5915
Sender: Joseph R. Lawrence, Esquire

YOU SHOULD RECEIVE 2 PAGES WITH THIS TRANSMITTAL.
IF YOU DO NOT RECEIVE THE FULL TRANSMITTAL,
PLEASE CONTACT KELLY AT (412) 281-4333.

Re: Deposit Bank vs. James P. Dworetzky and Lisa A. Dworetzky;
Case No.: 00-880-CD
Sheriff's Sale Date: April 6, 2001

Deposit Bank vs. James P. Dworetzky and Lisa A. Dworetzky
Case No.: 00-1292-CD
Sheriff's Sale Date: May 4, 2001

Message:

Please see the attached.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) IDENTIFIED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND, AS SUCH, IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING THIS MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THIS ORIGINAL MESSAGE TO US BY U.S. MAIL.

1500 UNION BANK BUILDING • 306 FOURTH AVENUE • PITTSBURGH, PENNSYLVANIA 15222-2101
TELEPHONE (412) 281-4333 FAX (412) 281-2141

SUITE 105 • 101 NORTH MAIN STREET • GREENSBURG, PENNSYLVANIA 15601-3228
TELEPHONE (724) 836-8060 FAX (724) 836-8802

INTERNET: www.lenderlaw.com

COPY


M&A

McGRATH & ASSOCIATES, P.C.

ATTORNEYS

April 5, 2001

VIA TELECOPIER ANDU.S. FIRST CLASS MAIL

Sheriff of Clearfield County
Clearfield County Courthouse
One North 2nd Street, Suite 116
Clearfield, PA 16830

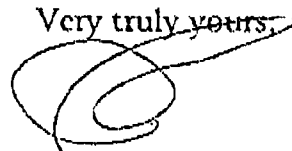
Re: Deposit Bank vs. James P. Dworetzky and Lisa A. Dworetzky;
Case No.: 00-880-CD
Sheriff's Sale Date: April 6, 2001

Deposit Bank vs. James P. Dworetzky and Lisa A. Dworetzky
Case No.: 00-1292-CD
Sheriff's Sale Date: May 4, 2001

Dear Sir or Madam:

As you are aware, this office represents Deposit Bank in connection with the above-referenced matters. Please be advised that Deposit Bank has received a check for all outstanding amounts in connection with both of the above-referenced Sheriff's Sales. In this regard, please return both Writs to the Prothonotary's Office and stay both of the Sheriff's Sales. A check made payable to the Sheriff of Clearfield County for poundage will be forthcoming. Thank you for your cooperation in this matter. If you have any questions with regard to the foregoing, please do not hesitate to give me a call.

Very truly yours,


Joseph R. Lawrence

/knib

cc: Mr. James M. Baker (via telecopier)

WWW.LENTERLAW.COM

COPY

1509 UNION BANK BUILDING • 306 FOURTH AVENUE • PITTSBURGH, PENNSYLVANIA 15222-2102
TELEPHONE (412) 281-1333 FAX (412) 281-2141

SUITE 105 • 101 NORTH MAIN STREET • GREENSBURG, PENNSYLVANIA 15601-2407
TELEPHONE (724) 836-8060 FAX (724) 836-8802

INTERNET: WWW.LENTERLAW.COM

M&A

McGRATH & ASSOCIATES, P.C.

ATTORNEYS

April 5, 2001

VIA TELECOPIER AND
U.S. FIRST CLASS MAIL

Sheriff of Clearfield County
Clearfield County Courthouse
One North 2nd Street, Suite 116
Clearfield, PA 16830

Re: Deposit Bank vs. James P. Dworetzky and Lisa A. Dworetzky;
Case No.: 00-880-CD
Sheriff's Sale Date: April 6, 2001

Deposit Bank vs. James P. Dworetzky and Lisa A. Dworetzky
Case No.: 00-1292-CD
Sheriff's Sale Date: May 4, 2001

Dear Sir or Madam:

As you are aware, this office represents Deposit Bank in connection with the above-referenced matters. Please be advised that Deposit Bank has received a check for all outstanding amounts in connection with both of the above-referenced Sheriff's Sales. In this regard, please return both Writs to the Prothonotary's Office and stay both of the Sheriff's Sales. A check made payable to the Sheriff of Clearfield County for poundage will be forthcoming. Thank you for your cooperation in this matter. If you have any questions with regard to the foregoing, please do not hesitate to give me a call.

Very truly yours,


Joseph R. Lawrence

/kmb

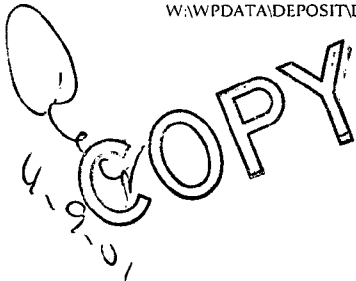
cc: Mr. James M. Baker (via telecopier)

W:\WPDATA\DEPOSIT\DWORETZK\CORRESSHERIFF.10L

1500 UNION BANK BUILDING • 306 FOURTH AVENUE • PITTSBURGH, PENNSYLVANIA 15222-2102
TELEPHONE (412) 281-4333 FAX (412) 281-2141

SUITE 105 • 101 NORTH MAIN STREET • GREENSBURG, PENNSYLVANIA 15601-2407
TELEPHONE (724) 836-8060 FAX (724) 836-8802

INTERNET: WWW.LENDERLAW.COM



M&A

McGRATH & ASSOCIATES, P.C.

ATTORNEYS
April 23, 2001

Sheriff of Clearfield County
Clearfield County Courthouse
One North 2nd Street, Suite 116
Clearfield, PA 16830

Re: Deposit Bank vs. James P. Dworetzky and Lisa A. Dworetzky;
Case No.: 00-880-CD
Sheriff's Sale Date: April 6, 2001

Deposit Bank vs. James P. Dworetzky and Lisa A. Dworetzky
Case No.: 00-1292-CD
Sheriff's Sale Date: May 4, 2001

Dear Sir or Madam:

As you are aware, this office represents Deposit Bank in connection with the above-referenced matters. Please be advised that Deposit Bank has received a check for all outstanding amounts in connection with both of the above-referenced Sheriff's Sales. In this regard, enclosed please find a check made payable to the Sheriff of Clearfield County in the total amount of \$5,950.31 which represents the poundage owed to the Sheriff for this matter. Also, enclosed please find copies of the Praecipos to Satisfy Judgments in connection with the above-referenced matters. If you have any questions with regard to the foregoing, please do not hesitate to give me a call.

Very truly yours,

Joseph R. Lawrence

/kmb
Enclosures
cc: Mr. James M. Baker

W:\WPDATA\DEPOSIT\DWORETZKY\CORRES\SHERIFF.111

1500 UNION BANK BUILDING • 306 FOURTH AVENUE • PITTSBURGH, PENNSYLVANIA 15222-2102
TELEPHONE (412) 281-4333 FAX (412) 281-2141

SUITE 105 • 101 NORTH MAIN STREET • GREENSBURG, PENNSYLVANIA 15601-2407
TELEPHONE (724) 836-8060 FAX (724) 836-8802

INTERNET: WWW.LENDERLAW.COM

MORTGAGE DISBURSEMENT ACCOUNT
DEPOSIT BANK

15634

60-416/313

PAY
TO THE
ORDER OF

SHERIFF OF CLEARFIELD COUNTY

DATE APRIL 9, 2001

\$ 5,950.31----

The sum of 5.950 dol's 31 cts

DOLLARS  Security Features
FOLDED
Check on back

 MAIN OFFICE 01
DEPOSIT BANK
DUBOIS, PA 15801
a division of  FIRST COMMONWEALTH BANK
MEMBER FDIC

FOR DWORETZKY

for S. Kleban A.V.P.

⑈015634⑈ ⑆031304160⑆ 0101704771⑈

COPY

REAL ESTATE SALE

REAL ESTATE SALE SCHEDULE OF DISTRIBUTION

REAL ESTATE SALE

NOW, _____, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting forth the date, time and place of sale at the Court House in Clearfield on the _____ day of _____ 2001, I exposed the within described real estate of

to public venue or outcry at which time and place I sold the same to _____ he/she being the highest bidder, for the sum of \$ _____ 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		4.08
HANDBILLS		15.00
DISTRIBUTION		25.00
ADVERTISING		15.00
ADD'L SERVICE		15.00
DEED		30.00
ADD'L POSTING		
ADD'L MILEAGE		29.64
ADD'L LEVY		
BID AMOUNT phone calls		5.00
RETURNS/DEPUTIZE		
COPIES		5.00
BILLING		
TOTAL SHERIFF COSTS	\$	203.48

DEED COSTS:

REGISTER & RECORDER	\$	15.50
ACKNOWLEDGEMENT		5.80
TRANSFER TAX 2%		

TOTAL DEED COSTS \$

DEBT & INTEREST:

DEBT-AMOUNT DUE	\$	417,216.24
INTEREST FROM 12-11-00 TO 5-6-01		12,084.16

TOTAL DEBT & INTEREST \$ 429,300.40

COSTS:

ATTORNEY FEES	\$	—
PROTH. SATISFACTION		—
ADVERTISING		337.92
LATE CHARGES & FEES		—
TAXES-Collector		—
TAXES-Tax Claim		—
COSTS OF SUIT-To Be Added		—
LIST OF LIENS		135.00
MORTGAGE SEARCH		—
ACKNOWLEDGEMENT		—
DEED COSTS		—
ATTORNEY COMMISSION		—
SHERIFF COSTS		203.48
LEGAL JOURNAL AD		83.25
REFUND OF ADVANCE		—
REFUND OF SURCHARGE		—
PROTHONOTARY		—
FORECLOSURE FEES		173.88

TOTAL COSTS \$ 933.53

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

Chester A. Hawkins, Sheriff

COPY