

00-1478-CD  
FIRST UNION NATIONAL BANK et al -vs- NANCY J. DALE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

FIRST UNION NATIONAL BANK, AS  
TRUSTEE FOR THE PENNSYLVANIA  
HOUSING FINANCE AGENCY,  
Assignee of PENNSYLVANIA HOUSING  
FINANCE AGENCY, Assignee of  
MELLON BANK, N.A., Assignee of  
TOWNE & COUNTRY MORTGAGE  
CORP.,

CIVIL DIVISION

NO. *DO-1478-00*

**COMPLAINT IN MORTGAGE  
FORECLOSURE**

Code -MORTGAGE FORECLOSURE

Plaintiff,

Filed on behalf of  
Plaintiff

vs.

Counsel of record for this  
party:

NANCY J. DALE,

Louis P. Vitti, Esquire  
PA I.D. #3810  
Supreme Court #01072

Defendants.

Louis P. Vitti & Assoc., P.C.  
916 Fifth Avenue  
Pittsburgh, PA 15219

(412) 281-1725

**FILED**

NOV 27 2000

**William A. Shaw  
Prothonotary**

**COMPLAINT IN MORTGAGE FORECLOSURE**

**NOTICE**

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 THE ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES AND 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 SHOULD 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.

**PROTHONOTARY  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 - EXT. 20**

COMPLAINT IN MORTGAGE FORECLOSURE

AND NOW, comes the Plaintiff by its attorneys, Louis P. Vitti and Associates, P.C. and Louis P. Vitti, Esquire, and pursuant to the Pennsylvania Rules of Civil Procedure Numbers 1141 through 1150, for its Complaint in Mortgage Foreclosure, sets forth the following:

1. The Plaintiff is a corporation duly authorized to conduct business within the laws of the Commonwealth of Pennsylvania, having a principal place of business located at 2101 North Front Street, Harrisburg, PA.

2. The Defendant(s) is/are individuals with a last known mailing address of 1701 Clarendon Ave, Hyde PA 16843. The property address is **1701 Clarendon Ave, Hyde, PA 16843** and is the subject of this action.

3. On the 20th day of September, 1996, in consideration of a loan of Fifty Thousand Four Hundred Sixty and 00/100 (\$50,460.00) Dollars made by Towne & Country Mortgage Corp., a PA corporation, to Defendant(s), the said Defendant(s) executed and delivered to Towne & Country Mortgage Corp., a PA corporation, a "Note" secured by a Mortgage with the Defendant(s) as mortgagor(s) and Towne & Country Mortgage Corp., as mortgagee, which mortgage was recorded on the 26th day of September, 1996, in the Office of the Recorder of Deeds of Clearfield County, in Mortgage Book Volume 1790, page 596. The said mortgage is incorporated herein by reference thereto as though the same were set forth fully at length.

4. The premises secured by the mortgage are:

SEE EXHIBIT "A" ATTACHED HERETO.

5. On the 26th day of September, 1996, Towne & Country Mortgage Corp., a PA corporation, assigned to the Plaintiff, Mellon Bank, N.A., the said mortgage, that assignment being recorded

in the Office of the Recorder of Deeds of Clearfield County on the 26th day of September, 1996, in Mortgage Book Volume 1790, page 609. The said assignment is incorporated herein by reference.

6. On the 20<sup>th</sup> day of October, 1998, Mellon Bank, N.A., a PA corporation, assigned to the Plaintiff, Pennsylvania Housing Finance Agency, the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfield County on the 20th day of October, 1998, in Mortgage Book Volume 1977, page 502. The said assignment is incorporated herein by reference

7. On the 11th day of October, 1999, Pennsylvania Housing Finance Agency, a PA corporation, assigned to the Plaintiff, First Union National Bank, as Trustee, the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfield County on the 25th day of October, 1999 at Instrument number 199917643. The said assignment is incorporated herein by reference

8. Said mortgage provides, inter alia:

"that when as soon as the principal debt secured shall become due and payable, or in case default shall be made in the payment of any installment of principal and interest, or any monthly payment, keeping and performance by the mortgagor of any of the terms, conditions or covenants of the mortgage or note, it shall be lawful for mortgagee to bring an Action of Mortgage Foreclosure, or other proceedings upon the mortgage, of principal debt, interest and all other recoverable sums, together with attorney's fees."

9. Since June 1, 2000, the mortgage has been in default by reason, inter alia, of the failure of the mortgagor(s) to make payments provided for in the said mortgage (including principal and interest) and, under the terms of the mortgage, the entire principal sum is due and payable.

10. In accordance with the appropriate Pennsylvania Acts of Assembly and the Pennsylvania Rules of Civil Procedure, the mortgagor(s) has been advised in writing of the mortgagees intention to foreclose. The appropriate time period has elapsed since the Notice of Intention to Foreclose has been served upon the mortgagor(s).

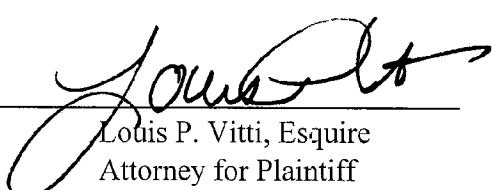
11. The amount due on said mortgage is itemized on the attached schedule.
12. Plaintiff does hereby release the personal representative, heir and/or devisee of the mortgagor(s) from liability for the debt secured by the mortgage.

WHEREFORE, pursuant to Pennsylvania Rule of Civil Procedure Number 1147(6), Plaintiff demands judgment for the amount due of Fifty Four Thousand Seven Hundred Eighty Three and 41/100 Dollars (\$54,783.41) with interest and costs.

Respectfully submitted,

LOUIS P. VITTI & ASSOC., P.C.

BY \_\_\_\_\_

  
Louis P. Vitti, Esquire  
Attorney for Plaintiff

DALE, NANCY J.

**SCHEDULE OF AMOUNTS DUE UNDER MORTGAGE**

Unpaid Principal Balance		47,598.72
Interest 5.0000% from 05/01/00 through 11/30/2000		1,388.84
(Plus \$6.5204 per day after 11/30/2000 )		
Late charges through 11/21/2000		
0 months @ 10.84	0.00	
Accumulated beforehand	<u>97.56</u>	97.56
(Plus \$10.84 on the 17th day of each month after 11/21/2000 )		
Attorney's fee		2,379.94
Escrow deficit		<u>3,318.35</u>
(This figure includes projected additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)		
<b>BALANCE DUE</b>		<b>54,783.41</b>

ADDENDUM ATTACHED TO AND MADE A PART OF THAT CERTAIN MORTGAGE FROM NANCY J. DALE , UNMARRIED TO TOWNE & COUNTRY MORTGAGE CORP. DATED SEPTEMBER 20, 1996 AND COVERING PROPERTY KNOWN AS 1701 CLARENDON AVENUE, HYDE, PA 16843.

\*\*\*\*\*

ALL those two certain lots or pieces of ground situated in the Village of Hyde, Township of Lawrence, County of Clearfield, and Commonwealth of Pennsylvania, being known and numbered in the Plan of the Steel and Iron Works Addition to Clearfield, recorded in the Recorder's Office of Clearfield, Pennsylvania, on September 16, 1902, as Lots Numbered 11 and 12 in Block 8, each of said lots fronting 40 feet on Claridon Avenue, formerly Schnarrs Avenue, and extending in depth 120 feet to an alley.

SUBJECT to all exceptions, reservations, restrictions, easements, rights of way, and oil and gas leases as set forth in prior instruments of record and on the recorded plan.

BEING the same property which Ellen Louise Hansen and Ronald Hansen, her husband, by deed dated September 20, 1996 and to be recorded herewith, granted and conveyed to Nancy J. Dale, unmarried, the Mortgagor herein.

## VERIFICATION

Donald J. Plunkett hereby states that he is the Assistant Executive Director for Single Family Programs of the Pennsylvania Housing Finance Agency, mortgage servicing agent for Plaintiff in this matter, that 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 his knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



Donald J. Plunkett  
Assistant Executive Director for Single  
Family Programs

Date: 11-20-00

FILED  
NOV 27 2000  
1 CC to Sheriff  
William A. Shaw  
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10449

FIRST UNION NATIONAL BANK

00-1478-CD

VS.

DALE, NANCY J.

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW DECEMBER 5, 2000 AT 9:15 AM EST SERVED WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON NANCY J. DALE, DEFENDANT AT RESIDENCE, 1701 CLARENDON AVE., HYDE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO NANCY J. DALE A TRUE AND ATTESTED COPY OF THE COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: MORGILLO/RYEN

**FILED**  
07 30 2000  
DEC 15 2000  
*Red*  
William A. Shaw  
Prothonotary

Return Costs

Cost	Description
19.30	SHFF. HAWKINS PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

Sworn to Before Me This

15, Day Of Dec 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  
My Name is Harry Harris*  
Chester A. Hawkins  
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

FIRST UNION NATIONAL BANK AS  
TRUSTEE FOR THE PENNSYLVANIA  
HOUSING FINANCE AGENCY, assignee  
of PENNSYLVANIA HOUSING  
FINANCE AGENCY, assignee of TOWNE  
& COUNTRY MORTGAGE CORP.,

CIVIL DIVISION

NO. 00-1478-CD

**PRAECIPE FOR DEFAULT  
JUDGMENT, CERTIFICATION OF  
MAILING AND AFFIDAVIT OF NON-  
MILITARY SERVICE**

Plaintiff,

Code MORTGAGE FORECLOSURE

vs.

NANCY J. DALE,

Filed on behalf of  
Plaintiff

Counsel of record for this  
party:

Louis P. Vitti, Esquire  
PA I.D. #3810  
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.  
916 Fifth Avenue  
Pittsburgh, PA 15219

(412) 281-1725

JAN 11 2001

William A. Shaw  
Prothonotary

**FILED**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

FIRST UNION NATIONAL BANK AS TRUSTEE FOR THE :  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of :  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of :  
MELLON BANK, N.A., assignee of TOWNE & COUNTRY :  
MORTGAGE CORP., :  
Plaintiff, : NO. 00-1478-CD  
vs. :  
NANCY J. DALE, :  
Defendant. :

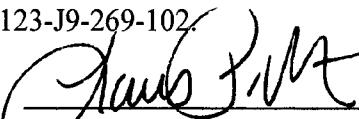
**PRAECIPE FOR DEFAULT JUDGMENT**  
**AND ASSESSMENT OF DAMAGES**

TO: PROTHONOTARY OF CLEARFIELD

Enter judgment in Default of an Answer in the amount of **\$55,044.22**, in favor of the First Union National Bank, et al, Plaintiff in the above-captioned action, against the Defendants, **Nancy J. Dale** and assess Plaintiff's damages as follows and/or as calculated in the Complaint:

Unpaid Principal Balance	<b>\$47,598.72</b>
Interest from <b>05/01/00-01/09/01</b> (Plus <b>\$6.5204</b> per day after <b>01/09/01</b> )	<b>1,649.65</b>
Late charges (Plus <b>\$10.84</b> per month from <b>11/21/00-Sale Date</b> )	<b>97.56</b>
Attorney's fee	<b>2,379.94</b>
Escrow Deficit (Plus any additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)	<b><u>3,318.35</u></b>
<b>Total Amount Due</b>	<b><u>\$55,044.22</u></b>

The real estate, which is the subject matter of the Complaint, is situate in Village of Hyde, Twp of Lawrence, Cty of Clearfield & Cmwlth of PA, being known & numbered in the Plan of the Steel & Iron Works Addition to Clearfield as Lots # 11 & 12 in Block 8. HET a dwg k/a 1701 Clarendon Avenue, Hyde, PA 16843. Parcel No. 123-J9-269-102.

  
\_\_\_\_\_  
Louis P. Vitti, Esquire  
Attorney for the Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

FIRST UNION NATIONAL BANK AS TRUSTEE FOR THE :  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of :  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of :  
MELLON BANK, N.A., assignee of TOWNE & COUNTRY :  
MORTGAGE CORP., :  
Plaintiff, : NO. 00-1478-CD  
vs. :  
NANCY J. DALE, :  
Defendant. :  
:

**CERTIFICATION OF MAILING**

I, Louis P. Vitti, do hereby certify that a Notice of Intention to Take Judgment was mailed to the Defendant(s), in the above-captioned case on December 27, 2000, giving ten (10) day notice that judgment would be entered should no action be taken.

LOUIS P. VITTI & ASSOCIATES, P.C.

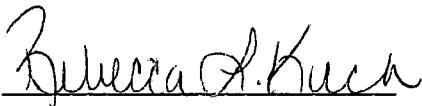
BY:

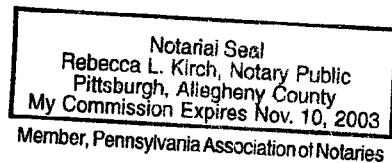
  
Louis P. Vitti, Esquire  
Attorney for Plaintiff

SWORN to and subscribed

before me this 9th day

of January, 2001.

  
Rebecca L. Kirch  
Notary Public



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

FIRST UNION NATIONAL BANK AS TRUSTEE FOR THE  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of  
MELLON BANK, N.A., assignee of TOWNE & COUNTRY  
MORTGAGE CORP.,

NO. 00-1478-CD

Plaintiff,

vs.

NANCY J. DALE,

Defendant.

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## IMPORTANT NOTICE

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TO: Nancy J. Dale  
1701 Clarendon Avenue  
Hyde, PA 16843

Date of Notice: December 27, 2001

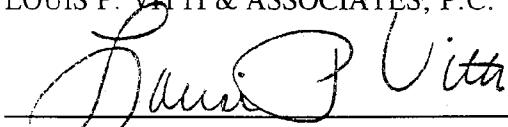
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

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

PROTHONOTARY  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 EXT. 20

LOUIS P. VITTI & ASSOCIATES, P.C.

BY:

  
Louis P. Vitti, Esquire  
Attorney for Plaintiff  
916 Fifth Avenue  
Pittsburgh, PA 15219

\*\* THE DEBT COLLECTOR IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.\*\*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA, SS:

COUNTY OF ALLEGHENY

BEFORE me, the undersigned authority, personally appeared Louis P. Vitti, Esquire, who, being duly sworn according to law, deposes and says that he is advised and believes that DEFENDANT(S) is/are not presently in the active military service of the United States of America and not members of the Army of the United States, United States Navy, the Marine Corps, or the Coast Guard, and not officers of the Public Health Service detailed by proper authority for duty with the Army or Navy; nor engaged in any active military service or duty with any military or naval units covered by the Soldiers and Sailors Civil Relief Act of 1940 and designated therein as military service, and to the best of this affiant's knowledge is/are not enlisted in military service covered by said act, and that the averments herein set forth, insofar as they are within his knowledge, are correct, and true; and insofar as they are based on information received from others, are true and correct as he verily believes.

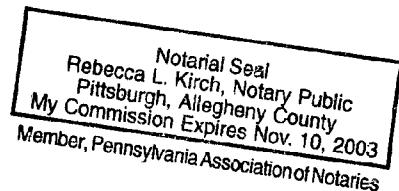
This Affidavit is made under the provisions of the Soldiers and Sailors Civil Relief Act of 1940.

  
\_\_\_\_\_  
Louis P. Vitti, Esquire

SWORN to and subscribed

before me this 9th day

of January, 2001.

  
\_\_\_\_\_  
Notary Public

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

First Union National Bank  
Pennsylvania Housing Finance Agency  
Mellon Bank, N.A.  
Towne & Country Mortgage Corp.  
Plaintiff(s)

No.: 2000-01478-CD

Real Debt: \$55,044.22

Atty's Comm:

Vs. Costs: \$

Int. From:

Nancy J. Dale Entry: \$20.00  
Defendant(s)

Instrument: Default Judgment

Date of Entry: January 11, 2001

Expires: January 11, 2006

Certified from the record this 11th of January, 2001

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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

FILED

JAN 11 2001  
10:30 AM UTHI PD  
William A. Shaw  
Prothonotary \$30.00

Not to DCP  
Statement to CHP  
GAB

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

FIRST UNION NATIONAL BANK AS TRUSTEE FOR THE  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of  
MELLON BANK, N.A., assignee of TOWNE & COUNTRY  
MORTGAGE CORP.,

NO. 00-1478-CD

Plaintiff,

vs.

NANCY J. DALE,

Defendant.

**NOTICE OF ORDER, DECREE OR JUDGMENT**

TO: DEFENDANT(S)

You are hereby notified that a judgment was entered in the above-captioned proceeding  
on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Judgment is as follows: **\$55,044.22.**

\_\_\_\_\_  
Deputy

**\*\* THE DEBT COLLECTOR IS ATTEMPTING TO COLLECT A DEBT AND ANY  
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.\*\***

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

FIRST UNION NATIONAL BANK AS  
TRUSTEE FOR THE PENNSYLVANIA  
HOUSING FINANCE AGENCY, assignee  
of PENNSYLVANIA HOUSING  
FINANCE AGENCY, assignee of TOWNE  
& COUNTRY MORTGAGE CORP.,

CIVIL DIVISION

NO. 00-1478-CD

**PRAECIPE FOR WRIT OF  
EXECUTION AND AFFIDAVIT OF  
LAST KNOWN ADDRESS**

Code MORTGAGE FORECLOSURE

Filed on behalf of  
Plaintiff

Counsel of record for this  
party:

Louis P. Vitti, Esquire  
PA I.D. #3810  
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.  
916 Fifth Avenue  
Pittsburgh, PA 15219

(412) 281-1725

**FILED**

JAN 11 2001

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

FIRST UNION NATIONAL BANK AS TRUSTEE FOR THE :  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of :  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of :  
MELLON BANK, N.A., assignee of TOWNE & COUNTRY :  
MORTGAGE CORP., :  
Plaintiff, : NO. 00-1478-CD  
vs. :  
NANCY J. DALE, :  
Defendant. :  
:

**PRAECIPE FOR WRIT OF  
EXECUTION IN MORTGAGE FORECLOSURE**

TO: PROTHONOTARY OF CLEARFIELD COUNTY

Issue a Writ of Execution in favor of the Plaintiff and against the Defendant(s) in the  
above-captioned matter as follows:

Amount Due **\$55,044.22**

Interest **01/10/01-Sale Date**

Total **\$\_\_\_\_\_**

The real estate, which is the subject matter of the Praecipe for Writ of Execution is situate  
in:

Village of Hyde, Twp of Lawrence, Cty of Clearfield & Cmwlth of PA, being known & numbered in the  
Plan of the Steel & Iron Works Addition to Clearfield as Lots # 11 & 12 in Block 8. HET a dwg k/a 1701  
Clarendon Avenue, Hyde, PA 16843. Parcel No. 123-J9-269-102.

  
Louis P. Vitti, Esquire  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

FIRST UNION NATIONAL BANK AS TRUSTEE FOR THE :  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of :  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of :  
MELLON BANK, N.A., assignee of TOWNE & COUNTRY :  
MORTGAGE CORP., :  
Plaintiff, : NO. 00-1478-CD  
vs. :  
NANCY J. DALE, :  
Defendant. :  
:

**AFFIDAVIT**

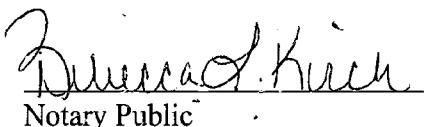
I, Louis P. Vitti, do hereby swear that, to the best of my knowledge, information and belief, the Defendant(s), is/are the owners of the real property on which the Plaintiff seeks to execute. That the Defendants' last known address is 1701 Clarendon Avenue, Hyde, PA 16843.



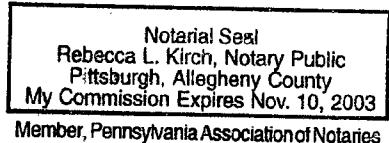
Louis P. Vitti  
Louis P. Vitti, Esquire

SWORN TO and subscribed

before me this 9th day of  
January, 2001.



Rebecca L. Kirch  
Notary Public



**FILED**

JAN 11 2001  
M 330 AM  
William A. Shaw  
Prothonotary

\$20.00

bursting  
Shaw  
2001

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

FIRST UNION NATIONAL BANK AS TRUSTEE FOR THE :  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of :  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of :  
MELLON BANK, N.A., assignee of TOWNE & COUNTRY :  
MORTGAGE CORP., :

NO. 00-1478-CD

Plaintiff, :

vs. :

NANCY J. DALE, :

Defendant. :

**AFFIDAVIT PURSUANT TO RULE 3129.1**

First Union National Bank, et al, Plaintiff in the above action, sets forth as of the date the Praecept for the Writ of Execution was filed the following information concerning the real property located at 1701 Clarendon Avenue, Hyde, PA 16843.

1. Name and address of Owner(s) or Reputed Owner(s):

Name: Address (Please indicate if this  
cannot be reasonably ascertained)

Nancy J. Dale 1701 Clarendon Avenue  
Hyde, PA 16843

2. Name and address of Defendant(s) in the judgment:

Name: Address (Please indicate if this  
cannot be reasonably ascertained)

Same as No. 1 above.

3. Name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

Name: Address (Please indicate if this  
cannot be reasonably ascertained)

None

Court of Common Pleas of  
Clearfield County  
Domestic Relations Division

Bureau of Compliance

Tenant/Occupant

P.O. Box 549  
Clearfield, PA 16830

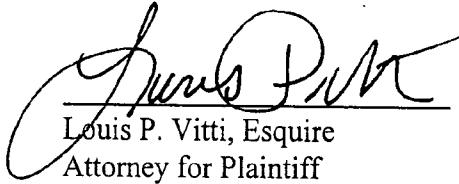
Clearance Support Section  
Dept. #281230  
Harrisburg, PA 17128-1230  
Attn: Susan Blough

1701 Clarendon Avenue  
Hyde, PA 16843

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. Section 4904 relating to unsworn falsification to authorities.

January 9, 2001

Date

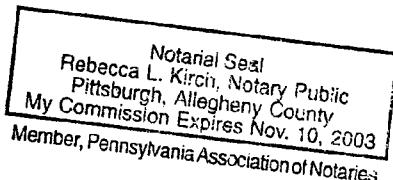
  
Louis P. Vitti, Esquire  
Attorney for Plaintiff

SWORN TO and subscribed

before me this 9th day

of January, 2001.

  
Notary Public



4. Name and address of the last recorded holder of every mortgage of record:

Name

Address (Please indicate if this  
cannot be reasonably ascertained)

PA Housing Finance Agency

2101 N. Front Street  
Harrisburg, PA 17105

First Union National Bank

2101 N. Front Street  
Harrisburg, PA 17105

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

Name

Address (Please indicate if this  
cannot be reasonably ascertained)

None

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

Name

Address (Please indicate if this  
cannot be reasonably ascertained)

None

7. Name and address of every other person of whom the Plaintiff has knowledge who has any interest in the property which may be affected by the sale:

Name

Address (Please indicate if this  
cannot be reasonably ascertained)

Tax Collector of Lawrence Twp.  
c/o Hazel Swifter

105 Fulton Street  
Clearfield, PA 16830

Water Authority

107 East Market Street  
Clearfield, PA 16830

Clearfield Municipal Authority

107 East Market Street  
Clearfield, PA 16830

Commonwealth of PA -DPW

P.O. Box 8016  
Harrisburg, PA 17105

Clerk of Courts  
Criminal/Civil Division

P.O. Box 549  
Clearfield, PA 16830

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

First Union National Bank,  
Pennsylvania Housing Finance Agency,  
Mellon Bank, N.A.,  
Towne & Country Mortgage Corp.,

Vs.

NO.: 2000-01478-CD

Nancy J. Dale ,

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due FIRST UNION NATIONAL BANK, PENNSYLVANIA HOUSING FINANCE AGENCY, MELLON BANK, N.A., TOWNE & COUNTRY MORTGAGE CORP., , Plaintiff(s) from NANCY J. DALE , , Defendant(s):

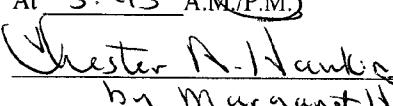
- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See Attached Legal Description.
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:  
Garnishee(s) as follows:  
and to notify the garnishee(s) 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 \$55,044.22  
INTEREST From 1/10/01 to Sale Date  
PROTH. COSTS \$  
ATTY'S COMM \$  
DATE 01/11/2001

PAID \$120.00  
SHERIFF \$  
OTHER COSTS \$

  
\_\_\_\_\_  
William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 11<sup>th</sup> day  
of January A.D. 2001  
At 3:45 A.M./P.M.

  
\_\_\_\_\_  
by Margaret H. Dutt

Requesting Party: Louis P. Vitti, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

FIRST UNION NATIONAL BANK AS TRUSTEE FOR THE :  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of :  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of :  
MELLON BANK, N.A., assignee of TOWNE & COUNTRY :  
MORTGAGE CORP., :

NO. 00-1478-CD

Plaintiff, :

vs. :

NANCY J. DALE, :

Defendant. :

LEGAL DESCRIPTION

ALL those two certain lots or pieces of ground situate in the Village of Hyde, Township of Lawrence, County of Clearfield, and Commonwealth of Pennsylvania, being known and numbered in the Plan of the Steel and Iron Works Addition to Clearfield, recorded in the Recorder's Office of Clearfield, Pennsylvania, on September 16, 1902, as Lots Numbered 11 and 12 in Block 8, each of said lots fronting 40 feet on Claridon Avenue, formerly Schnarrs Avenue, and extending in depth 120 feet to an alley.

SUBJECT to all exceptions, reservations, restrictions, easements, rights of way, and oil and gas leases as set forth in prior instruments of record and on the recorded plan.

HAVING erected thereon a dwelling known as 1701 Clarendon Avenue, Hyde, PA 16843.

BEING the same premises which Ellen Louise Hansen and Ronald Hansen, her husband, by their deed dated 09/20/1996 and recorded on 09/26/1996 in the Clearfield County, Pennsylvania, Recorder of Deeds Office in Deed Book Volume 1790, page 593, granted and conveyed unto Nancy J. Dale, unmarried.

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

Sheriff Docket # 10620

FIRST UNION NATIONAL BANK, ET AL

00-1478-CD

VS.

DALE, NANCY J.

**WRIT OF EXECUTION REAL ESTATE**

**SHERIFF RETURNS**

---

**NOW, FEBRUARY 5, 2001, AT 8:30 AM O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANT. PROPERTY WAS POSTED THIS DATE.**

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

**NOW, FEBRUARY 5, 2001, AT 8:10 AM O'CLOCK SERVED WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY ON NANCY J. DALE, DEFENDANT, AT HER PLACE OF RESIDENCE, 1701 CLARENDON AVENUE, HYDE, CLEARFIELD COUNTY, PENNSYLVANIA, 16843, BY HANDING TO NANCY J. DALE, DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY AND MADE KNOWN TO HER THE CONTENTS THEREOF.**

**NOW, APRIL 5, 2001, RECEIVED PHONE CALL FROM LOUIS VITTI'S OFFICE THAT DEFENDANT HAS FILED BANKRUPTCY. SALE IS TO BE CONTINUED TO JULY 6, 2001.**

**NOW, APRIL 10, 2001, RECEIVED FAX TO CONTINUE SALE TO JULY 6, 2001.**

**NOW, JUNE 21, 2001, RECEIVED FAX WITH ORDER RELEASING BANKRUPTCY, SALE IS TO BE HELD JULY 6, 2001.**

**NOW, JULY 6, 2001, A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANT. PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR ONE DOLLAR(\$1.00) PLUS COSTS. (LINDA LEWIS, LOCAL ATTORNEY WAS HERE FOR PLAINTIFF)**

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

Sheriff Docket # 10620

FIRST UNION NATIONAL BANK, ET AL

00-1478-CD

VS.

DALE, NANCY J.

**WRIT OF EXECUTION REAL ESTATE**

**SHERIFF RETURNS**

**NOW, JULY 20, 2001, RETURN WRIT AS SALE BEING HELD, PLAINTIFF PURCHASED PROPERTY FOR ONE DOLLAR (\$1.00) PLUS COSTS. PAID COSTS FROM ADVANCE (DID NOT RECEIVE A BILL FOR LEGAL JOURNAL), MADE REFUND OF UNUSED ADVANCE TO THE ATTORNEY.**

**SHERIFF HAWKINS \$167.68  
SURCHARGE \$ 20.00  
PAID BY ATTORNEY**

**FILED**

JUL 20 2001  
013:30 pm  
William A. Shaw  
Prothonotary *AS*

Sworn to Before Me This

20th day of July 2001  
*Chester A. Hawkins*

So Answers,

*Chester A. Hawkins*  
by Margaret W. Pitt  
Chester A. Hawkins  
Sheriff

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

*R. Denning Gearhart*Attorney & Counselor at Law215 E. Locust Street  
Clearfield, PA 16830

814-765-1581

(fax) 814-765-6745

Please Refer To: DALE, NancyTELECOMMUNICATIONS COVER PAGEDATE: 04/05/01TIME: 1:45 pm 11:50 a.m.The following document, including cover sheet, is 3 pages long.

Please deliver this transmission to:

NAME: LOUIS P. VITTI

This Document is taken from:

NAME: DENNING GEARHART

If any of these pages are not legible or you do not receive all of the pages, please call this office as soon as possible at (814) 765-1581.

BANKRUPTCY FILING INFORMATION FOR NANCY DALE

*copy*

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CASE NAME : Date

CASE NUMBER : 01-23393 bm

**NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)**

If you intend to file a petition for relief under the bankruptcy laws of the United States, and your debts are primarily consumer debts, the Clerk of Court is required to notify you of each chapter of the Bankruptcy Code under which you may seek relief. You may proceed under:

**Chapter 7 - Liquidation, or**

**Chapter 11 - Reorganization, or**

**Chapter 13 - Adjustment of Debts of an Individual with  
Regular Income**

If you have any questions regarding the information contained in this notice, you should consult with your attorney.

Theodore S. Hopkins  
Clerk, U.S. Bankruptcy Court  
Suite 5414 USX Tower  
600 Grant Street  
Pittsburgh, PA 15219

I hereby certify that on Apr 2, 2001, I caused a copy of this notice to be served upon the debtor.

**COPY**

By: Adriane Alampi  
Deputy Clerk

#17a-1

- See Reverse Side -

UNITED STATES  
BANKRUPTCY COURT  
Western District of Pennsylvania  
Pittsburgh Division

# 00040161 - AA  
April 2, 2001

Code	Case #	Qty	Amount
7+AF+SUR	01-23393		200.00 CK
Judge	- MARKOVITZ		
Debtor	- date		

TOTAL → 200.00

FROM: R. DENNING GEARHART

COPY

LOUIS P. VITTI & ASSOCIATES, P.C.

916 Fifth Avenue  
Pittsburgh, PA 15219

PHONE: (412) 281-1725

FAX: (412) 281-3810

**FACSIMILE TRANSMITTAL**

DATE: *June 21, 2001*

ADDRESSEE:

*Peggy*

COMPANY:

*Shadys Office*

YOUR FAX NUMBER:

*4-8147 765-05915*

FROM: *Mary*

Number of Pages: *8*

RE: *Date*

*File # 00-1478 CD*

ADDITIONAL COMMENTS:

*Order granting relief to allow  
the sale to be collected on  
July 6, 2001.*

*COPY*

Original  Copy  to follow by mail: Yes  No

NOTE: If you have difficulty receiving this transmittal, please call (412) 281-1725. Thank you.

THIS FACSIMILE CONTAINS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED FOR THE USE OF THE ABOVE NAMED INDIVIDUAL OR COMPANY. IF THE READER IS NOT THE INTENDED RECIPIENT, EMPLOYEE, OR AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED PARTY, YOU ARE HEREBY NOTIFIED THAT DISSEMINATION OR COPYING OF THIS FACSIMILE IS PROHIBITED BY LAW. IF YOU RECEIVE THIS FACSIMILE IN ERROR, PLEASE NOTIFY THE ABOVE BY TELEPHONE OR RETURN THE ORIGINAL FACSIMILE BY THE U.S. POSTAL SERVICE. THANK YOU.

RECEIVED JUN 8 2001

# 7  
MILP

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: NANCY J. DALE,  
Debtor.  
-----  
Pennsylvania Housing Finance Agency,  
Movant,  
VS  
Nancy J. Dale,  
Respondent.  
Lisa M. Swope,  
Trustee.

CASE NO. 01-23393-BM

CHAPTER 7

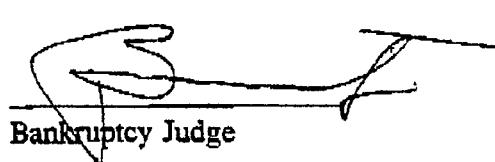
01 - 2128M  
Motion No. \_\_\_\_\_

ORDER OF COURT

AND NOW, to-wit, this 6 <sup>72</sup> day of June, 2001, based upon the Motion submitted and attached hereto, it is hereby Ordered, Adjudged and Decreed and determined that the Motion is granted.

Movant, shall be and is hereby permitted to proceed and continue with an action in mortgage foreclosure and is hereby permitted to levy and Sheriff Sale the property above-described, located at 1701 Clarendon Avenue, Hyde, PA 16843, and to pursue its remedies under state law in connection with the subject note and deed of trust/mortgage.

BY THE COURT:

  
Bankruptcy Judge

**FILED**

JUN 6 2001

CLERK, U.S. BANKRUPTCY COURT  
WEST DIST OF PENNSYLVANIA

*Louis P. Vitti and Associates, P.C.*

COUNSELLORS AT LAW  
916 FIFTH AVENUE  
PITTSBURGH, PENNSYLVANIA 15219

PHONE: (412) 281-1726

FAX: (412) 281-3810

LOUIS P. VITTI  
RODNEY PERMIGIANI  
BLAISE J. CZERWICZ

MEMBER OF THE USFN

Today is Thursday  
April 5, 2001

Sheriff of Clearfield County

Clearfield County Courthouse

1-814-765-5915

Attn: Peggy

RE:

Sale

DO-1478 CD

Dear Sir or Madam:

Kindly continue the above captioned Sheriff's Sale which was scheduled for

April 6, 2001 to July 6, 2001

Thank you for your cooperation in this matter.

Very truly yours,

*Louis P. Vitti*

Louis P. Vitti

LPV/mag

**COPY**

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CASE NAME : Dale

CASE NUMBER : 01-23393 bm

**NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)**

If you intend to file a petition for relief under the bankruptcy laws of the United States, and your debts are primarily consumer debts, the Clerk of Court is required to notify you of each chapter of the Bankruptcy Code under which you may seek relief. You may proceed under:

**Chapter 7 - Liquidation, or**

**Chapter 11 - Reorganization, or**

**Chapter 13 - Adjustment of Debts of an Individual with  
Regular Income**

If you have any questions regarding the information contained in this notice, you should consult with your attorney.

Theodore S. Hopkins  
Clerk, U.S. Bankruptcy Court  
Suite 5414 USX Tower  
600 Grant Street  
Pittsburgh, PA 15219

I hereby certify that on Apr 2, 2001, I caused a copy of this notice to be served upon the debtor.

**COPY**

By: Adriane Alampi  
Deputy Clerk

#17a-l

- See Reverse Side -

UNITED STATES  
BANKRUPTCY COURT  
Western District of Pennsylvania  
Pittsburgh Division

# 00040161 - AA  
April 2, 2001

Code	Case #	Qty	Amount
7+AF+SUR	01-23393		200.00 OK
Judge - MARKOVITZ			
Debtor - date			

**TOTAL - 200.00**

FROM: R. DENNING GEARHART

**COPY**

REAL ESTATE SALE

REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION

REAL ESTATE SALE

NOW, JULY 9, 2001, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on the 6th day of JULY 2001, I exposed the within described real estate of NANCY J. DALE

to public venue or outcry at which time and place I sold the same to FIRST UNION NATIONAL BANK, PENNSYLVANIA  
TOWNE & COUNTRY MORTGAGE CORP he/she 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	1.30
LEVY	15.00
MILEAGE	1.30
POSTING	15.00
CSDS	10.00
COMMISSION 2%	
POSTAGE	4.08
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES	5.00
BILLING	
<b>TOTAL SHERIFF COSTS</b>	<b>\$ 167.68</b>

DEED COSTS:

REGISTER & RECORDER	\$ 1.650
ACKNOWLEDGEMENT	5.00
TRANSFER TAX 2%	
<b>TOTAL DEED COSTS</b>	<b>\$ 21.50</b>

DEBT & INTEREST:

DEBT-AMOUNT DUE	\$ 55,044.22
INTEREST from 1-10-01 to sale date	
TO BE ADDED	
<b>TOTAL DEBT &amp; INTEREST</b>	<b>\$</b>
<u>COSTS:</u>	
ATTORNEY FEES	\$
FROTH. SATISFACTION	
ADVERTISING	249.39
LATE CHARGES & FEES	
TAXES-Collector	
TAXES-Tax Claim	
COSTS OF SUIT-To Be Added	
LIST OF LIENS	
MORTGAGE SEARCH	140.00
ACKNOWLEDGEMENT	
DEED COSTS	21.50
ATTORNEY COMMISSION	
SHERIFF COSTS	167.68
LEGAL JOURNAL AD (NONE SUBMITTED)	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
PROTHONOTARY	\$ 120.00

**TOTAL COSTS** \$ **\$698.57**

**COPY**

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

Chester A. Hawkins, Sheriff

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

First Union National Bank,  
Pennsylvania Housing Finance Agency,  
Mellon Bank, N.A.,  
Towne & Country Mortgage Corp.,

Vs.

NO.: 2000-01478-CD

Nancy J. Dale ,

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due FIRST UNION NATIONAL BANK, PENNSYLVANIA HOUSING FINANCE AGENCY, MELLON BANK, N.A., TOWNE & COUNTRY MORTGAGE CORP., Plaintiff(s) from NANCY J. DALE, , Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See Attached Legal Description.
- (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 \$55,044.22  
INTEREST From 1/10/01 to Sale Date  
PROTH. COSTS \$  
ATTY'S COMM \$  
DATE 01/11/2001

PAID \$120.00  
SHERIFF \$  
OTHER COSTS \$

  
\_\_\_\_\_  
William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. \_\_\_\_\_  
At \_\_\_\_\_ A.M./P.M.

Requesting Party: Louis P. Vitti, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

FIRST UNION NATIONAL BANK AS TRUSTEE FOR THE :  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of :  
PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of :  
MELLON BANK, N.A., assignee of TOWNE & COUNTRY :  
MORTGAGE CORP., :  
Plaintiff, : NO. 00-1478-CD  
vs. :  
NANCY J. DALE, :  
Defendant. :

LEGAL DESCRIPTION

ALL those two certain lots or pieces of ground situate in the Village of Hyde, Township of Lawrence, County of Clearfield, and Commonwealth of Pennsylvania, being known and numbered in the Plan of the Steel and Iron Works Addition to Clearfield, recorded in the Recorder's Office of Clearfield, Pennsylvania, on September 16, 1902, as Lots Numbered 11 and 12 in Block 8, each of said lots fronting 40 feet on Claridon Avenue, formerly Schnarrs Avenue, and extending in depth 120 feet to an alley.

SUBJECT to all exceptions, reservations, restrictions, easements, rights of way, and oil and gas leases as set forth in prior instruments of record and on the recorded plan.

HAVING erected thereon a dwelling known as 1701 Clarendon Avenue, Hyde, PA 16843.

BEING the same premises which Ellen Louise Hansen and Ronald Hansen, her husband, by their deed dated 09/20/1996 and recorded on 09/26/1996 in the Clearfield County, Pennsylvania, Recorder of Deeds Office in Deed Book Volume 1790, page 593, granted and conveyed unto Nancy J. Dale, unmarried.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

FIRST UNION NATIONAL BANK, AS  
TRUSTEE FOR THE PENNSYLVANIA  
HOUSING FINANCE AGENCY, assignee  
of PENNSYLVANIA HOUSING  
FINANCE AGENCY, assignee of  
MELLON BANK, N.A., assignee of  
TOWNE & COUNTRY MORTGAGE  
CORP.,

CIVIL DIVISION

NO. 00-1478-CD

**AFFIDAVIT OF SERVICE**

Code MORTGAGE FORECLOSURE

Filed on behalf of  
Plaintiff

Counsel of record for this  
party:

Louis P. Vitti, Esquire  
PA I.D. #3810  
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.  
916 Fifth Avenue  
Pittsburgh, PA 15219

(412) 281-1725

**FILED**

MAR 07 2001

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

FIRST UNION NATIONAL BANK AS TRUSTEE FOR  
THE PENNSYLVANIA HOUSING FINANCE  
AGENCY, assignee of PENNSYLVANIA HOUSING  
FINANCE AGENCY, assignee of MELLON BANK,  
N.A., assignee of TOWNE & COUNTRY MORTGAGE  
CORP,

NO. 00-1478-CD

Plaintiff,

vs.

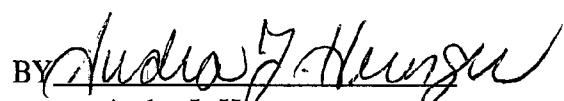
NANCY J. DALE,

Defendant.

**AFFIDAVIT OF SERVICE**

I, Audra J. Hunger, do hereby certify that a Notice of Sale was mailed and served upon the defendants by certified mail on January 29, 2001 and all lien holders by Certificate of Mailing for service in the above-captioned case on January 26, 2001, advising them of the Sheriff's sale of the property at 1701 Clarendon Avenue, Hyde, PA 16843, *on April 6, 2001*.

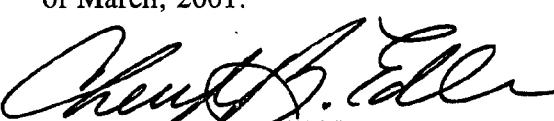
LOUIS P. VITTI & ASSOCIATES, P.C.

BY   
Audra J. Hunger

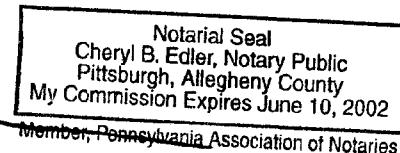
SWORN to and subscribed

before me this 5th day

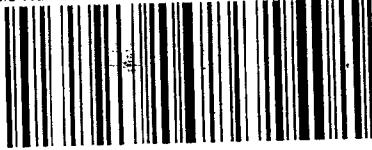
of March, 2001.



Notary Public



2. Article Number



7106 4575 1292 0669 1481

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to:

Nancy J. Dale  
1701 Government Avenue  
Boise, ID 83702

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

Nancy J. Dale

B. Date of Delivery

1/29/01

C. Signature

X Nancy J. Dale

Agent

Addressee

D. Is delivery address different from item 1?

If YES, enter delivery address below:

Yes

No

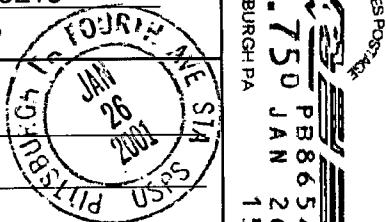
PS Form 3811, June 2000

Domestic Return Receipt

A.J./Dale/04-01-01

<b>CERTIFICATE OF MAILING</b>	
U.S. POSTAL SERVICE MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER	
<p>Received From: <b>LOUIS P. VITTI &amp; ASSOCIATES, P.C.</b>  <u>916 FIFTH AVENUE</u>  <u>PITTSBURGH, PA 15219</u>  <u>(412) 281-1725</u></p> <p>One piece of ordinary mail addressed to:  <b>Tenant/Occupant</b>  <u>1701 Clarendon Avenue</u>  <u>Hyde, PA 16843</u></p>	

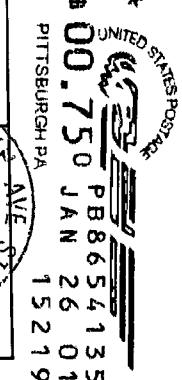
Affix fee here in stamps  
or meter postage and  
post mark. Inquire of  
Postmaster for current  
fee.



PS Form 3817, Mar. 1989 A.J./Dale/04-06-01

<b>CERTIFICATE OF MAILING</b>	
U.S. POSTAL SERVICE MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER	
<p>Received From: <b>LOUIS P. VITTI &amp; ASSOCIATES, P.C.</b>  <u>916 FIFTH AVENUE</u>  <u>PITTSBURGH, PA 15219</u>  <u>(412) 281-1725</u></p> <p>One piece of ordinary mail addressed to:  <b>First Union National Bank</b>  <u>2101 North Front Street</u>  <u>Harrisburg, PA 17105</u></p>	

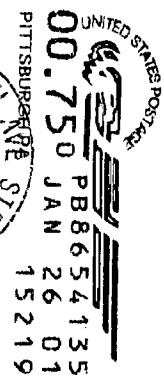
Affix fee here in stamps  
or meter postage and  
post mark. Inquire of  
Postmaster for current  
fee.



PS Form 3817, Mar. 1989 A.J.1/Dale/04-06-01

<b>CERTIFICATE OF MAILING</b>	
U.S. POSTAL SERVICE MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER	
<p>Received From: <b>LOUIS P. VITTI &amp; ASSOCIATES, P.C.</b>  <u>916 FIFTH AVENUE</u>  <u>PITTSBURGH, PA 15219</u>  <u>(412) 281-1725</u></p> <p>One piece of ordinary mail addressed to:  <b>PA Housing Finance Agency</b>  <u>2101 North Front Street</u>  <u>Harrisburg, PA 17105</u></p>	

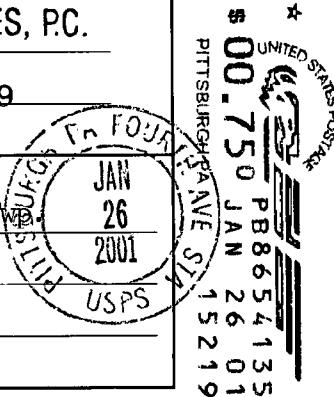
Affix fee here in stamps  
or meter postage and  
post mark. Inquire of  
Postmaster for current  
fee.



PS Form 3817, Mar. 1989 A.J./Dale/04-06-01

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<p>One piece of ordinary mail addressed to:  <u>Tax Collector of Lawrence Twp</u>  <u>c/o Hazel Swifter</u>  <u>105 Fulton Street</u>  <u>Clearfield, PA 16830</u></p>			

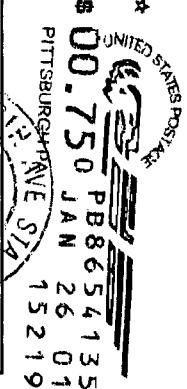
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<p>One piece of ordinary mail addressed to:  <u>Water Authority</u>  <u>107 East Market Street</u>  <u>Clearfield, PA 16830</u></p>			

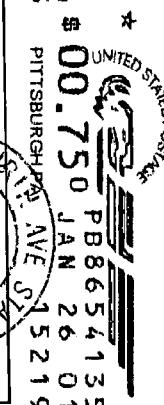
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<p>One piece of ordinary mail addressed to:  <u>Clearfield Municipal Authority</u>  <u>107 East Market Street</u>  <u>Clearfield, PA 16830</u></p>			

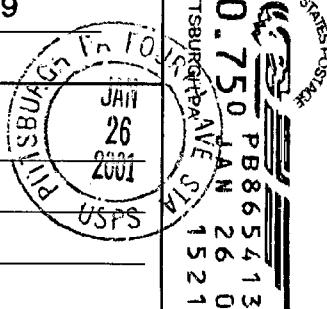
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<p>One piece of ordinary mail addressed to:  <u>Commonwealth of PA - DPW</u>  <u>P.O. Box 8016</u>  <u>Harrisburg, PA 17105</u></p>	

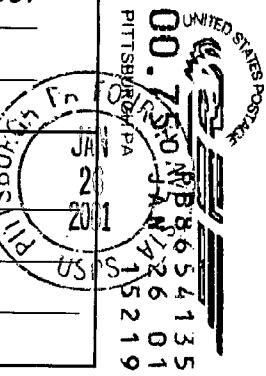
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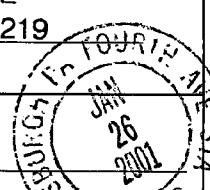
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<p>One piece of ordinary mail addressed to:  <u>Clerk of Courts</u>  <u>Criminal/Civil Division</u>  <u>P.O. Box 549</u>  <u>Clearfield, PA 16830</u></p>	

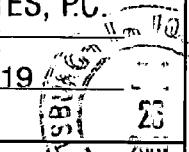
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One piece of ordinary mail addressed to: <b>Bureau of Compliance</b> <b>Clearance Support Section</b> <b>Dept. #281230</b> <b>Harrisburg, PA 17128-1230</b>			
 <div style="text-align: right; margin-top: -20px;">           UNITED STATES POSTAL SERVICE            PITTSBURGH, PA            JAN 26 2001            FEDERAL BUREAU OF INVESTIGATION            U.S. POSTAL SERVICE         </div>			

PS Form 3817, Mar. 1989 A.J./Dale/04-06-01

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<p>One piece of ordinary mail addressed to:</p> <p>Court of Common Pleas Clearfield Ctys Domestic Relations Division P.O. Box 549 Clearfield, PA 16830</p>		 <p>23</p> <p>LUU1</p> <p>11:15 AM</p> <p>1988</p> <p>Clearfield PA</p> <p>UNITED STATES POSTAL SERVICE</p> <p>00-750 PB 86541 15219</p>	

PS Form 3817, Mar. 1989 A.J./Dale/04-06-01-

**FILED**

MAR 07 2001  
M 110-28100  
William A. Shaw  
Prothonotary

in The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10620

FIRST UNION NATIONAL BANK, ET AL

00-1478-CD

VS.

DALE, NANCY J.

**WRIT OF EXECUTION REAL ESTATE**

**SHERIFF RETURNS**

**NOW, FEBRUARY 5, 2001, AT 8:30 AM O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANT. PROPERTY WAS POSTED THIS DATE.**

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

**NOW, FEBRUARY 5, 2001, AT 8:10 AM O'CLOCK SERVED WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY ON NANCY J. DALE, DEFENDANT, AT HER PLACE OF RESIDENCE, 1701 CLARENDON AVENUE, HYDE, CLEARFIELD COUNTY, PENNSYLVANIA, 16843, BY HANDING TO NANCY J. DALE, DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY AND MADE KNOWN TO HER THE CONTENTS THEREOF.**

**NOW, APRIL 5, 2001, RECEIVED PHONE CALL FROM LOUIS VITTI'S OFFICE THAT DEFENDANT HAS FILED BANKRUPTCY. SALE IS TO BE CONTINUED TO JULY 6, 2001.**

**NOW, APRIL 10, 2001, RECEIVED FAX TO CONTINUE SALE TO JULY 6, 2001.**

**NOW, JUNE 21, 2001, RECEIVED FAX WITH ORDER RELEASING BANKRUPTCY, SALE IS TO BE HELD JULY 6, 2001.**

**NOW, JULY 6, 2001, A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANT. PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR ONE DOLLAR(\$1.00) PLUS COSTS. (LINDA LEWIS, LOCAL ATTORNEY WAS HERE FOR PLAINTIFF)**

**COPY**

**FILED**

*W.A.S.*  
AUG 06 2001  
6/10:40:00  
William A. Shaw  
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

FIRST UNION NATIONAL BANK, ET AL

Sheriff Docket # 10620

00-1478-CD

VS.

DALE, NANCY J.

**WRIT OF EXECUTION REAL ESTATE**

**SHERIFF RETURNS**

**NOW, JULY 20, 2001, RETURN WRIT AS SALE BEING HELD, PLAINTIFF PURCHASED PROPERTY FOR ONE DOLLAR (\$1.00) PLUS COSTS. PAID COSTS FROM ADVANCE (DID NOT RECEIVE A BILL FOR LEGAL JOURNAL), MADE REFUND OF UNUSED ADVANCE TO THE ATTORNEY.**

**SHERIFF HAWKINS \$167.68  
SURCHARGE \$ 20.00  
PAID BY ATTORNEY**

**NOW, JULY 24, 2001, LEARNED THAT THERE WAS AN ADDITIONAL LIEN SEARCH DONE FOR THE APRIL SALE. BILLED ATTORNEY VITTI FOR THE ONE HUNDRED THIRTY-FIVE DOLLARS STILL DUE.**

**NOW, JULY 27, 2001, RECEIVED ATTORNEY CHECK #3892 IN THE AMOUNT OF ONE HUNDRED THIRTY-FIVE DOLLARS (\$135.00) DUE FOR LIEN SEARCH.**

**NOW, August 6, 2001, PAID LIEN SEARCH DUE AND FILED REVISED SCHEDULE OF DISTRIBUTION.**

**COPY**

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10620

FIRST UNION NATIONAL BANK, ET AL

00-1478-CD

VS.

DALE, NANCY J.

WRIT OF EXECUTION REAL ESTATE

**SHERIFF RETURNS**

---

Sworn to Before Me This

So Answers,

6 Day Of Aug 2001  
C. B.

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

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

**COPY**

REAL ESTATE SALE

REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION

REAL ESTATE SALE

REVISED 7-27-01

NOW, JULY 9, 2001, 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 6th day of JULY 2001, I exposed the within described real estate of NANCY J. DALE

to public venue or outcry at which time and place I sold the same to FIRST UNION NATIONAL BANK, PENNSYLVANIA  
DUISING FINANCE AGENCY, MELLON BANK, N.A. TOWNE & COUNTRY MORTGAGE CORP he/she 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	1.30
LEVY	15.00
MILEAGE	1.30
POSTING	15.00
CSDS	10.00
COMMISSION 2%	
POSTAGE	4.08
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES	5.00
BILLING	
<b>TOTAL SHERIFF COSTS</b>	<b>\$ 167.68</b>

DEED COSTS:

REGISTER & RECORDER	\$ 1.650
ACKNOWLEDGEMENT	5.00
TRANSFER TAX 2%	
<b>TOTAL DEED COSTS</b>	<b>\$ 21.50</b>

DEBT & INTEREST:

DEBT-AMOUNT DUE	\$ 55,044.22
INTEREST from 1-10-01 to sale date	
<b>TOTAL DEBT &amp; INTEREST</b>	<b>\$</b>
<b>COSTS:</b>	
ATTORNEY FEES	\$
PROTH. SATISFACTION	
ADVERTISING	249.39
LATE CHARGES & FEES	
TAXES-Collector	
TAXES-Tax Claim	
COSTS OF SUIT-To Be Added	
LIST OF LIENS	275.00
MORTGAGE SEARCH	
ACKNOWLEDGEMENT	
DEED COSTS	21.50
ATTORNEY COMMISSION	
SHERIFF COSTS	167.68
LEGAL JOURNAL AD (NONE SUBMITTED)	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
PROTHONOTARY	\$ 120.00
<b>TOTAL COSTS</b>	<b>\$ 833.57</b>

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

Chester A. Hawkins, Sheriff

COPY

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

First Union National Bank,  
Pennsylvania Housing Finance Agency,  
Mellon Bank, N.A.,  
Towne & Country Mortgage Corp.,

Vs.

NO.: 2000-01478-CD

Nancy J. Dale ,

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due FIRST UNION NATIONAL BANK, PENNSYLVANIA HOUSING FINANCE AGENCY, MELLON BANK, N.A., TOWNE & COUNTRY MORTGAGE CORP., Plaintiff(s) from NANCY J. DALE , , Defendant(s):

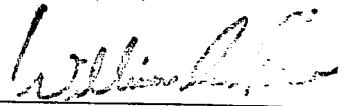
- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See Attached Legal Description.
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:  
Garnishee(s) as follows:  
and to notify the garnishee(s) 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 \$55,044.22  
INTEREST From 1/10/01 to Sale Date  
PROTH. COSTS \$  
ATTY'S COMM \$  
DATE 01/11/2001

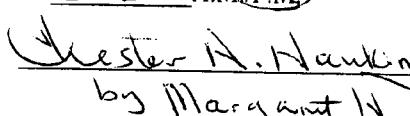
PAID \$120.00  
SHERIFF \$  
OTHER COSTS \$

**COPY**

Received this writ this 11th day  
of January A.D. 2001  
At 3:45 A.M./P.M.

  
\_\_\_\_\_  
William A. Shaw  
Prothonotary/Clerk Civil Division

Requesting Party: Louis P. Vitti, Esquire

  
by Margaret N. Pult