

00-1481-CD  
CONTE MORTGAGE CORPORATION -vs- MICHAEL A. BERG et al

FEDERMAN AND PHELAN, LLP  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER AT SUBURBAN STATION  
1617 JOHN F. KENNEDY BOULEVARD  
SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CONTI MORTGAGE CORPORATION  
ONE CONTIPARK  
338 SOUTH WARMINSTER ROAD  
HATBORO, PA 19040-3430

COURT OF COMMON PLEAS  
CIVIL DIVISION

Plaintiff

v.

TERM

NO. 00-1481-CD

MICHAEL A. BERG  
CONNIE L. BERG  
395 COAL STREET  
OSCEOLA MILLS, PA 16666

CLEARFIELD COUNTY

Defendant(s)

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**  
**NOTICE**

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

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

FILED  
NOV 27 2000

Loan #: 205705736

William A. Shaw  
Prothonotary

1. Plaintiff is

CONTI MORTGAGE CORPORATION  
ONE CONTIPARK  
338 SOUTH WARMINSTER ROAD  
HATBORO, PA 19040-3430

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

MICHAEL A. BERG  
CONNIE L. BERG  
395 COAL STREET  
OSCEOLA MILLS, PA 16666

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

3. On 4/15/98 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to CONTIMORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1925, Page 247. By Assignment of Mortgage recorded 8/7/98 the mortgage was assigned to MANUFACTURES AND TRADERS TRUST COMPANY which Assignment is recorded in Assignment of Mortgage Book No. 1957, Page 517. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 2/20/00 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith. A copy of such notice is attached as Exhibit "A."

6. The following amounts are due on the mortgage:

|                               |                    |
|-------------------------------|--------------------|
| Principal Balance             | \$45,135.84        |
| Interest                      | 3,185.70           |
| 1/20/00 through 11/1/00       |                    |
| (Per Diem \$11.10)            |                    |
| Attorney's Fees               | 800.00             |
| Cumulative Late Charges       | 502.10             |
| 4/15/98 to 11/1/00            |                    |
| Cost of Suit and Title Search | <u>550.00</u>      |
| Subtotal                      | \$50,173.64        |
| Escrow                        |                    |
| Credit                        | 0.00               |
| Deficit                       | <u>261.39</u>      |
| Subtotal                      | <u>\$ 261.39</u>   |
| <b>TOTAL</b>                  | <b>\$50,435.03</b> |

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

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

9. The Temporary Stay as provided by the Homeowner's Emergency Mortgage Assistance Program, Act 91 of 1983, has terminated because either:

- (i) Defendant(s) have failed to meet with the Plaintiff or an authorized Credit Counseling Agency in accordance with Plaintiff's written Notice to Defendants, a true and correct copy of which is attached hereto as Exhibit "A"; or
- (ii) Defendant(s) application for assistance has been rejected by the Pennsylvania Housing Finance Agency.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$50,435.03, together with interest from 11/1/00 at the rate of \$11.10 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.



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

April 21, 2000

CONNIE L BERG  
305 COAL STREET  
OSCEOLA MILLS, PA 16666

ACT 91 NOTICE  
TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

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

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

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

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

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

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

EXHIBITA

April 21, 2000

MICHAEL A BERG  
305 COAL STREET  
OSCEOLA MILLS, PA 16666

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EXHIBIT A

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April 21, 2000  
ContiMortgage Loan Number 0005705736

HOMEOWNER'S NAME (S) : MICHAEL A BERG  
CONNIE L BERG  
PROPERTY ADDRESS: 305 COAL STREET  
OSCEOLA MILLS, PA, 16666  
LOAN ACCOUNT NUMBER: 0005705736  
ORIGINAL LENDER: ASSURE HOME EQUITY  
CURRENT LENDER/SERVICER: ContiMortgage Corporation

**HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM**

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

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

**IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,**

**IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND**

**IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.**

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

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

**APPLICATION FOR MORTGAGE ASSISTANCE** - Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default). If you have tried and are

**EXHIBIT A**

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ContiMortgage Loan Number 0005705736

unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Mortgage Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting.

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

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

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

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

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

**NATURE OF THE DEFAULT** - The MORTGAGE debt held by the above lender on your property located at: 305 COAL STREET,  
OSCEOLA MILLS, PA 16666.

**IS SERIOUSLY IN DEFAULT** because:

**A. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS** for the following months and the following amounts are now past due: Start/End: February 20, 2000 th April 21, 2000 at 3 monthly payments of \$514.82 each.

|                                     |            |
|-------------------------------------|------------|
| Payments of Principal and Interest: | \$1,544.46 |
| Escrow Advances:                    | \$261.39   |
| Late Charges:                       | \$356.43   |
| Other Charges:                      | \$28.50    |
| Suspense (credit):                  | \$ .00     |

**EXHIBIT A**

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April 21, 2000  
ContiMortgage Loan Number 0005705736

TOTAL AMOUNT PAST DUE: \$2,190.78

**B. YOU HAVE FAILED TO TAKE THE FOLLOWING ACTIONS: N/A**

**HOW TO CURE THE DEFAULT** - You may cure the default within THIRTY (30) DAYS of the date of this notice BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS \$2,190.78, PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cash, cashier's check, certified check or money order made payable and sent to:

ContiMortgage Corporation  
P.O. Box 13919  
Philadelphia, PA 19101

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

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

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

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

**EXHIBIT A**

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April 21, 2000  
ContiMortgage Loan Number 0005705736

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

**HOW TO CONTACT THE LENDER:**

|                        |                           |
|------------------------|---------------------------|
| <u>Name of Lender:</u> | ContiMortgage Corporation |
| <u>Address:</u>        | P.O. Box 13919            |
|                        | Philadelphia, PA 19101    |
| <u>Phone Number:</u>   | 1-800-635-9698            |
| <u>Fax Number:</u>     | 1-215-347-2290            |
| <u>Contact Person:</u> | Collection Department     |

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

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

**YOU ALSO HAVE THE RIGHT:**

TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT.

TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.

TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)

TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.

TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.

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ContiMortgage Loan Number 0005705736

TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY - See the attached list of agencies.

Sincerely,

Collection Department  
Asset Management Division

Regular and Certified Mail  
Enclosure

LWPNACT91

**EXHIBIT A**

**PENNSYLVANIA HOUSING FINANCE AGENCY  
HOMEOWNER'S EMERGENCY ASSISTANCE PROGRAM  
CONSUMER CREDIT COUNSELING AGENCIES  
(REV. 8/00)**

**CHESTER COUNTY**

Acorn Housing Corporation  
846 North Broad Street  
Philadelphia, PA 19130  
(215) 765-1221 FAX (215) 765-1427

Budget Counseling Center  
247 North Fifth Street  
Reading, PA 19601  
(610) 375-7866 FAX (215) 375-7830

HACE  
167 W. Allegheny Avenue, 2<sup>nd</sup> Fl.  
Philadelphia, PA 19140  
(215) 426-8025 FAX (215) 426-9122

Media Fellowship House  
302 S. Jackson Street  
Media, PA 19063  
(610) 565-0846 FAX (610) 565-8567

Tabor Community Services, Inc.  
439 East King Street  
Lancaster, PA 17602  
(717) 397-5182 or (800) 788-5602 (H.O. only)  
FAX (717) 399-4127

American Red Cross of Chester  
1729 Edgemont Avenue  
Chester, PA 19013  
(610) 874-1484

845 Coates Street  
Coatesville, PA 19320  
(888) 212-6741

**American Credit Counseling Institute**

144 E. Dekalb Pike  
King Of Prussia, PA 19406  
(610) 971-2210 FAX (610) 265-4814

Northwest Counseling Agency  
5001 North Broad Street  
Philadelphia, PA 19141  
(215) 324-7500 FAX (215) 324-8753

CCCS of Delaware Valley  
1515 Market Street, Suite 1325  
Philadelphia, PA 19107  
(215) 563-5665 FAX 563-7020

Community Housing Counseling, Inc.  
P.O. Box 244  
Kennett Square, PA 19348  
(610) 444-3682 FAX (610) 444-3682

Philadelphia Council For Community Adv.  
100 North 17<sup>th</sup> Street, Suite 600  
Philadelphia, PA 19103  
(215) 567-7803 FAX (215) 963-9941

Community Devel. Corp. of Frankford  
Group Ministry  
4620 Griscom Street  
Philadelphia, PA 19124  
(215) 744-2990 FAX (215) 744-2012

CCCS of Delaware Valley(Marshall Bldg.)  
790 E. Market St., Suite 215  
West Chester, PA 19382  
(215) 563-5665

755 York Rd., Suite 103  
Warminster, PA 18974  
(215) 444-9429 FAX (215) 956-6344

**CLARION COUNTY**

CCCS of Western Pennsylvania, Inc.  
YMCA Building  
339 North Washington Street  
Butler, PA 16001  
(412) 282-7812

**CLEARFIELD COUNTY**

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

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

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

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

ALL THAT CERTAIN lot or tract of land situate in the Borough of Osceola, County of Clearfield and Commonwealth of Pennsylvania, being bounded and described as follows:

BEGINNING at a point on Coal Street 83 feet northwesterly from a post at the southwest corner of Coal and Stone Streets and running in a southwesterly direction along line of lot of Justin Pie 50 feet to line of lot now or formerly belonging to William Quigley; thence in a northwesterly direction and on line parallel with Coal Street 67 feet to a point; thence in a northeasterly direction on a line parallel with Stone Street to Coal Street; thence in a southeasterly direction along Coal Street 67 feet to a point, the place of beginning. Being part of a larger Lot of ground known as Lot No. 233 in the general plan of Osceola Borough.

BEING known as Tax No. 161337965

**VERIFICATION**

FRANK FEDERMAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and/or the verification could not be obtained within the time allowed for the filing of the pleading, that he is authorized to make 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. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel. 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.

Frank Federman

DATE: 11/21/00

FILED Atty pd  
NOV 27 2000 80.00  
2 CC Atty  
William A. Shaw  
Prothonotary  
Sheriff

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10439

CONTI MORTGAGE CORPORATION

00-1481-CD

VS.

BERG, MICHAEL A. and CONNIE L.

COMPLAINT IN MORTGAGE FORECLOSURE

**SHERIFF RETURNS**

NOW DECEMBER 4, 2000 AT 2:57 PM EST SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON CONNIE L. BERG, DEFENDANT AT RESIDENCE, 501 1/2 WALTON ST., PHILIPSBURG, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO CONNIE L. BERG A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: COUDRIET/RYEN

NOW DECEMBER 20, 2000 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO MICHAEL A. BERG, DEFENDANT. NEW ADDRESS: 1610 NORTH DUBLIN ROAD, MIDLAND, MICHIGAN.

---

Return Costs

| Cost  | Description                  |
|-------|------------------------------|
| 33.73 | SHFF. HAWKINS PAID BY: ATTY. |
| 20.00 | SURCHARGE PAID BY: ATTY.     |

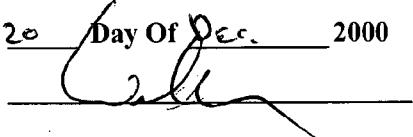
FILED

DEC 20 2000

William A. Shaw  
Prothonotary

Sworn to Before Me This

20 Day Of Dec. 2000



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

So Answers,

  
Chester A. Hawkins  
Sheriff 

FEDERMAN AND PHELAN, LLP  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
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West:

W.M. Holick  
PROSECUTOR

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

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

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

1. Plaintiff is

CONTI MORTGAGE CORPORATION  
ONE CONTIPARK  
338 SOUTH WARMINSTER ROAD  
HATBORO, PA 19040-3430

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

MICHAEL A. BERG  
CONNIE L. BERG  
395 COAL STREET  
OSCEOLA MILLS, PA 16666

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

3. On 4/15/98 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to CONTIMORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1925, Page 247. By Assignment of Mortgage recorded 8/7/98 the mortgage was assigned to MANUFACTURES AND TRADERS TRUST COMPANY which Assignment is recorded in Assignment of Mortgage Book No. 1957, Page 517. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 2/20/00 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith. A copy of such notice is attached as Exhibit "A."

6. The following amounts are due on the mortgage:

|                               |                    |
|-------------------------------|--------------------|
| Principal Balance             | \$45,135.84        |
| Interest                      | 3,185.70           |
| 1/20/00 through 11/1/00       |                    |
| (Per Diem \$11.10)            |                    |
| Attorney's Fees               | 800.00             |
| Cumulative Late Charges       | 502.10             |
| 4/15/98 to 11/1/00            |                    |
| Cost of Suit and Title Search | <u>550.00</u>      |
| Subtotal                      | \$50,173.64        |
| Escrow                        |                    |
| Credit                        | 0.00               |
| Deficit                       | <u>261.39</u>      |
| Subtotal                      | <u>\$ 261.39</u>   |
| <b>TOTAL</b>                  | <b>\$50,435.03</b> |

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

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

9. The Temporary Stay as provided by the Homeowner's Emergency Mortgage Assistance Program, Act 91 of 1983, has terminated because either:

- (i.) Defendant(s) have failed to meet with the Plaintiff or an authorized Credit Counseling Agency in accordance with Plaintiff's written Notice to Defendants, a true and correct copy of which is attached hereto as Exhibit "A"; or
- (ii.) Defendant(s) application for assistance has been rejected by the Pennsylvania Housing Finance Agency.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$50,435.03, together with interest from 11/1/00 at the rate of \$11.10 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

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

April 21, 2000

CONNIE L BERG  
305 COAL STREET  
OSCEOLA MILLS, PA 16666

ACT 91 NOTICE  
TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

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

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

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

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

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

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

EXHIBITA

April 21, 2000

MICHAEL A BERG  
305 COAL STREET  
OSCEOLA MILLS, PA 16666

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EXHIBIT A

Page 2  
April 21, 2000  
ContiMortgage Loan Number 0005705736

HOMEOWNER'S NAME (S) : MICHAEL A BERG  
CONNIE L BERG  
PROPERTY ADDRESS: 305 COAL STREET  
OSCEOLA MILLS, PA, 16666  
LOAN ACCOUNT NUMBER: 0005705736  
ORIGINAL LENDER: ASSURE HOME EQUITY  
CURRENT LENDER/SERVICER: ContiMortgage Corporation

**HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM**

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

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

IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,

IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND

IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

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

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

**APPLICATION FOR MORTGAGE ASSISTANCE** - Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default). If you have tried and are

**EXHIBIT A**

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April 21, 2000  
ContiMortgage Loan Number 0005705736

unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Mortgage Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting.

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

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

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

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

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

**NATURE OF THE DEFAULT** - The MORTGAGE debt held by the above lender on your property located at: 305 COAL STREET,  
OSCEOLA MILLS, PA 16666.

IS SERIOUSLY IN DEFAULT because:

**A. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS** for the following months and the following amounts are now past due: Start/End: February 20, 2000 th April 21, 2000 at 3 monthly payments of \$514.82 each.

|                                     |            |
|-------------------------------------|------------|
| Payments of Principal and Interest: | \$1,544.46 |
| Escrow Advances:                    | \$261.39   |
| Late Charges:                       | \$356.43   |
| Other Charges:                      | \$28.50    |
| Suspense (credit):                  | \$ .00     |

**EXHIBIT A**

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April 21, 2000  
ContiMortgage Loan Number 0005705736

TOTAL AMOUNT PAST DUE: \$2,190.78

B. YOU HAVE FAILED TO TAKE THE FOLLOWING ACTIONS: N/A

HOW TO CURE THE DEFAULT - You may cure the default within THIRTY (30) DAYS of the date of this notice BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS \$2,190.78, PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cash, cashier's check, certified check or money order made payable and sent to:

ContiMortgage Corporation  
P.O. Box 13919  
Philadelphia, PA 19101

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

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

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

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

EXHIBIT A

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April 21, 2000  
ContiMortgage Loan Number 0005705736

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

**HOW TO CONTACT THE LENDER:**

|                        |                           |
|------------------------|---------------------------|
| <u>Name of Lender:</u> | ContiMortgage Corporation |
| <u>Address:</u>        | P.O. Box 13919            |
|                        | Philadelphia, PA 19101    |
| <u>Phone Number:</u>   | 1-800-635-9698            |
| <u>Fax Number:</u>     | 1-215-347-2290            |
| <u>Contact Person:</u> | Collection Department     |

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

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

**YOU ALSO HAVE THE RIGHT:**

TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT  
OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS  
DEBT.

TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.

TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT  
HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS  
RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR  
YEAR.)

TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE  
PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE  
DOCUMENTS.

TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION  
BY THE LENDER.

**EXHIBIT A**

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April 21, 2000  
ContiMortgage Loan Number 0005705736

TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY - See the attached list of agencies.

Sincerely,

Collection Department  
Asset Management Division

Regular and Certified Mail  
Enclosure

LWPNACT91

EXHIBIT A

**PENNSYLVANIA HOUSING FINANCE AGENCY  
HOMEOWNER'S EMERGENCY ASSISTANCE PROGRAM  
CONSUMER CREDIT COUNSELING AGENCIES  
(REV. 8/00)**

**CHESTER COUNTY**

Acorn Housing Corporation  
846 North Broad Street  
Philadelphia, PA 19130  
(215) 765-1221 FAX (215) 765-1427

Budget Counseling Center  
247 North Fifth Street  
Reading, PA 19601  
(610) 375-7866 FAX (215) 375-7830

HACE  
167 W. Allegheny Avenue, 2<sup>nd</sup> Fl.  
Philadelphia, PA 19140  
(215) 426-8025 FAX (215) 426-9122

Media Fellowship House  
302 S. Jackson Street  
Media, PA 19063  
(610) 565-0846 FAX (610) 565-8567

Tabor Community Services, Inc.  
439 East King Street  
Lancaster, PA 17602  
(717) 397-5182 or (800) 788-5602 (H.O. only)  
FAX (717) 399-4127

American Red Cross of Chester  
1729 Edgemont Avenue  
Chester, PA 19013  
(610) 874-1484

845 Coates Street  
Coatesville, PA 19320  
(888) 212-6741

**American Credit Counseling Institute**

144 E. Dekalb Pike  
King Of Prussia, PA 19406  
(610) 971-2210 FAX (610) 265-4814

Northwest Counseling Agency  
5001 North Broad Street  
Philadelphia, PA 19141  
(215) 324-7500 FAX (215) 324-8753

CCCS of Delaware Valley  
1515 Market Street, Suite 1325  
Philadelphia, PA 19107  
(215) 563-5665 FAX 563-7020

Community Housing Counseling, Inc.  
P.O. Box 244  
Kennett Square, PA 19348  
(610) 444-3682 FAX (610) 444-3682

Philadelphia Council For Community Adv.  
100 North 17<sup>th</sup> Street, Suite 600  
Philadelphia, PA 19103  
(215) 567-7803 FAX (215) 963-9941

Community Devel. Corp. of Frankford  
Group Ministry  
4620 Griscom Street  
Philadelphia, PA 19124  
(215) 744-2990 FAX (215) 744-2012

CCCS of Delaware Valley(Marshall Bldg.)  
790 E. Market St., Suite 215  
West Chester, PA 19382  
(215) 563-5665

755 York Rd., Suite 103  
Warminster, PA 18974  
(215) 444-9429 FAX (215) 956-6344

**CLARION COUNTY**

CCCS of Western Pennsylvania, Inc.  
YMCA Building  
339 North Washington Street  
Butler, PA 16001  
(412) 282-7812

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

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

**CLEARFIELD COUNTY**

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

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

ALL THAT CERTAIN lot or tract of land situate in the Borough of Osceola, County of Clearfield and Commonwealth of Pennsylvania, being bounded and described as follows:

BEGINNING at a point on Coal Street 83 feet northwesterly from a post at the southwest corner of Coal and Stone Streets and running in a southwesterly direction along line of lot of Justin Pie 50 feet to line of lot now or formerly belonging to William Quigley; thence in a northwesterly direction and on line parallel with Coal Street 67 feet to a point; thence in a northeasterly direction on a line parallel with Stone Street to Coal Street; thence in a southeasterly direction along Coal Street 67 feet to a point, the place of beginning. Being part of a larger Lot of ground known as Lot No. 233 in the general plan of Osceola Borough.

BEING known as Tax No. 161337965

**VERIFICATION**

FRANK FEDERMAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and/or the verification could not be obtained within the time allowed for the filing of the pleading, that he is authorized to make 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. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel. 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.

Frank Federman

DATE: 1/21/07

**FEDERMAN AND PHELAN, L.L.P.**

BY: FRANK FEDERMAN, ESQUIRE

Identification No. 12248

One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd.

Suite 1400

Philadelphia, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

ContiMortgage Corporation  
One Conti Park  
338 South Warminster Rd.  
Hatboro, PA 19040-3430

NO. 00-1481-CD

Plaintiff

CLEARFIELD COUNTY

vs.

Michael A. Berg  
Connie L. Berg  
395 Coal Street  
Osceola Mills, PA 16666

**FILED**

FEB 20 2001

Defendant(s)

**William A. Shaw  
Prothonotary**

**SUGGESTION OF RECORD CHANGE, NUNC PRO TUNC**

**TO THE PROTHONOTARY:**

FRANK FEDERMAN, ESQUIRE, attorney for the Plaintiff, hereby certifies that, to the best of his knowledge, information and belief the DEFENDANT'S address was erroneously listed as:

395 Coal Street, Osceola Mills, PA 16666

The correct address for the DEFENDANT is:

305 Coal Street

Osceola Mills, PA 16666

Kindly change the information on the docket.

Date: February 15, 2001

  
Frank Federman, Esquire  
Attorney for Plaintiff

FILED  
FEB 20 2001  
FEB 20 2001  
NO CC  
Fees  
William A. Shaw  
Prothonotary

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN  
Identification No. 12248  
One Penn Center at Suburban Station  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Attorney for Plaintiff

CONTIMORTGAGE CORPORATION,  
ONE CONTIPARK  
338 SOUTHWARMINSTER ROAD  
HATBORO, PA 19040-3430

Plaintiff

vs.

MICHAEL A. BERG  
1610 NORTH DUBLIN ROAD  
MIDLAND, MI 48642  
CONNIE L. BERG  
502 1/2 WALTON STREET  
PHILIPSBURG, PA 16866

Defendant(s)

: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS  
: CIVIL DIVISION  
: NO. 00-1481-CD  
: **FILED**  
: FEB 23 2001  
: William A. Shaw  
: Prothonotary

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

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against MICHAEL A. BERG and  
CONNIE L. BERG, Defendant(s), for failure to file an Answer to Plaintiff's Complaint within 20  
days from service thereof and for foreclosure and sale of the mortgaged premises, and assess  
Plaintiff's damages as follows:

|                             |                   |
|-----------------------------|-------------------|
| As set forth in Complaint   | \$50,435.03       |
| Interest 11/1/00 to 2/21/01 | <u>\$1,254.30</u> |
| TOTAL                       | \$51,689.33       |

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

  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 2/23/01

  
PRO PROTHY

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

FEDERMAN AND PHELAN  
Frank Federman, Esquire  
Identification No. 12248  
One Penn Center Plaza at  
Suburban Station, Suite 1400  
Philadelphia, PA 19103-1799  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CONTI MORTGAGE CORPORATION

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

vs.

MICHAEL A. BERG  
CONNIE L. BERG

: CLEARFIELD COUNTY

: NO. 00-1481 CD

Defendant

TO: CONNIE L. BERG  
502 1/2 WALTON STREET  
PHILLIPSBURG, PA 16866

*FILE COPY*

DATE OF NOTICE: FEBRUARY 7, 2001

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

IMPORTANT NOTICE

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

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

Frank Federman, Esquire  
Attorney for Plaintiff

• FEDERMAN AND PHELAN, L.L.P.  
Frank Federman, Esquire  
Identification No. 12248  
• One Penn Center Plaza at  
Suburban Station, Suite 1400  
Philadelphia, PA 19103-1799  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CONTI MORTGAGE CORPORATION

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

vs.

MICHAEL A. BERG  
CONNIE L. BERG

: CLEARFIELD COUNTY

: NO. 00-1481 CD

Defendant(s)

TO: MICHAEL A. BERG  
1610 NORTH DUBLIN ROAD  
MIDLAND, MI 48642

FILE COPY

DATE OF NOTICE: FEBRUARY 7, 2001

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

IMPORTANT NOTICE

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

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

---

Frank Federman, Esquire  
Attorney for Plaintiff

FEDERMAN and PHELAN  
By: FRANK FEDERMAN  
Identification No. 12248  
One Penn Center at Suburban Station  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Attorney for Plaintiff

**CONTIMORTGAGE CORPORATION,  
ONE CONTIPARK**  
Plaintiff

vs.

**MICHAEL A. BERG  
CONNIE L. BERG**  
Defendant(s)

: **CLEARFIELD COUNTY**  
:  
: **Court of Common Pleas**  
:  
: **CIVIL DIVISION**  
:  
: **NO. 00-1481-CD**  
:  
:  
:

**VERIFICATION OF NON-MILITARY SERVICE**

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

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

(b) that defendant **MICHAEL A. BERG** is over 18 years of age and resides at **1610 NORTH DUBLIN ROAD, MIDLAND, MI 48642**.

(c) that defendant **CONNIE L. BERG** is over 18 years of age, and resides at **502 1/2 WALTON STREET, PHILIPSBURG, PA 16866**.

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

  
\_\_\_\_\_  
FRANK FEDERMAN  
Attorney for Plaintiff

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN  
Identification No. 12248  
One Penn Center at Suburban Station  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Attorney for Plaintiff

**CONTIMORTGAGE CORPORATION,  
ONE CONTIPARK  
338 SOUTHWARMINSTER ROAD  
HATBORO, PA 19040-3430**  
Plaintiff

vs.

**MICHAEL A. BERG  
CONNIE L. BERG  
1610 NORTH DUBLIN ROAD  
MIDLAND, MI 48642**  
Defendant(s)

: **CLEARFIELD COUNTY**  
:  
: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO. 00-1481-CD**  
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**CERTIFICATION**

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

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

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

Frank Federman  
FRANK FEDERMAN, ESQUIRE

Attorney for Plaintiff

(Rule of Civil Procedure No. 236 – Revised)

**CONTIMORTGAGE CORPORATION,  
ONE CONTIPARK**

**Plaintiff**

**vs.**

**MICHAEL A. BERG  
CONNIE L. BERG**

**Defendant(s)**

**: CLEARFIELD COUNTY**

**:**

**: Court of Common Pleas**

**:**

**: CIVIL DIVISION**

**:**

**: NO. 00-1481-CD**

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

Conti Mortgage Corporation  
Plaintiff(s)

COPY

No.: 2000-01481-CD

Real Debt: \$51,689.33

Atty's Comm:

Vs.

Costs: \$

Int. From:

Michael A. Berg  
Connie L. Berg  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: February 23, 2001

Expires: February 23, 2006

Certified from the record this 23rd of February, 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

FILED

FFB 23 2001  
M 3-47 Ac H. Friedman  
William A. Shaw  
Prothonotary  
pd \$20.00

~~Ex~~ not to Dev.  
Statement to atty

PRAECIPE FOR WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)

P.R.C.P. 3180-3183

CONTIMORTGAGE CORPORATION  
ONE CONTIPARK 338 SOUTH  
WARMINSTER ROAD  
HATBORO, PA 19040-3430

: CLEARFIELD  
:  
: COURT OF COMMON  
: PLEAS  
:  
: CIVIL DIVISION  
Plaintiff :  
: NO. 00-1481-CD  
vs. :  
:  
:  
MICHAEL A. BERG :  
CONNIE L. BERG :  
305 COAL STREET :  
OSCEOLA MILLS, PA 16666 :  
:  
Defendant(s)

TO THE DIRECTOR OF THE PROTHONOTARY:

Issue writ of execution in the above matter:

|   |  |
|---|--|
| Amount Due  | \$ 51,689.33                                     |
| Interest from<br>2/22/01 TO SALE<br>(Per Diem - \$8.49) | \$ <u>611.28</u> and Costs<br>\$ 52,300.61 TOTAL |

*Frank Federman*  
FRANK FEDERMAN, ESQUIRE  
ONE PENN CENTER AT SUBURBAN STATION  
SUITE 1400  
PHILADELPHIA, PA 19103  
Attorney for Plaintiff

Note: Please attach description of property.

**FILED**

MAR 01 2001

William A. Shaw  
Prothonotary

NO. 00-1481-CD Term  
IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CONTIMORTGAGE CORPORATION

vs.

MICHAEL A. BERG  
CONNIE L. BERG

---

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Filed:

*Frank Beckman*

Attorney for Plaintiff

Address: 305 COAL STREET, OSCEOLA MILLS, PA 16666  
Where papers may be served.

ALL THAT CERTAIN lot or tract of land situate in the Borough of Osceola, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on Coal Street eighty-three (83) feet Northwesterly from a post at the Southwest corner of Coal and Stone Streets and running in a Southwesterly Direction along line of lot of Justin Pie fifty (50) feet to line of lot now or formerly belonging to William Quigley; thence in a Northwesterly direction and on line parallel with Coal Street sixty-seven (67) feet to a point; thence in a Northeasterly direction on a line parallel with Stone Street to Coal Street; thence in a Southeasterly direction along Coal Street sixty-seven (67) feet to a point, the place of beginning. Being part of a larger lot of ground known as Lot No. 233 in the general plan of Osceola Borough.

Tax Parcel #013-379-00065

TITLE TO SAID PREMISES IS VESTED IN Michael A. Berg and Connie L. Berg, husband and wife by Deed from Alberta V. Cowfer, a widow dated 10/1/85, recorded 10/24/85, in Deed Book 1047, page 349.

**FILED**

MAR 01 2001  
O/C:31 (atty) Federman

William A. Shaw  
Prothonotary

Pd \$20.00

6 wnts Sheriff  
8:00

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

CONTIMORTGAGE CORPORATION  
ONE CONTIPARK 338 SOUTH  
WARMINSTER ROAD  
HATBORO, PA 19040-3430

Plaintiff

: CLEARFIELD  
: :  
: COURT OF COMMON  
: PLEAS  
: :  
: CIVIL DIVISION  
: :  
: NO. 00-1481-CD

vs.

MICHAEL A. BERG  
CONNIE L. BERG  
305 COAL STREET  
OSCEOLA MILLS, PA 16666

Defendant(s)

:  
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:

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

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

Premises: 395 COAL STREET, OSCEOLA MILLS, PA 16666  
(see attached legal description)

|   |              |
|---|--------------|
| Amount Due  | \$ 51,689.33 |
| Interest from<br>2/22/01 TO SALE<br>(Per Diem - \$8.49) | \$ 611.28    |
| Costs:  | \$ 120.00    |
| Total   | \$ 52,420.61 |



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

Dated: 3/1/01  
(Seal)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

## CONTIMORTGAGE CORPORATION

FILED

Plaintiff

CIVIL DIVISION

MAR 14 2001

MICHAEL A. BERG  
CONNIE L. BERG

William A. Shaw  
- Prothonotary

Defendant(s)

NO. 00-1481-c Prothonotary

AMENDED  
AFFIDAVIT PURSUANT TO RULE 3129.1

CONTIMORTGAGE CORPORATION, Plaintiff in the above action, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 305 COAL STREET, OSCEOLA MILLS, PA 16666.

1. Name and address of owner(s) or reputed owner (s):

MICHAEL A. BERG

1610 NORTH DUBLIN ROAD  
MIDLAND, MI 48642

CONNIE L. BERG

502 1/2 WALTON STREET  
PHILIPSBURG, PA 16866

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

**SAME AS ABOVE**

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

**NONE**

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

Name \_\_\_\_\_ Address (if address cannot be reasonably ascertained, please so indicate)

CITIFINANCIAL, INC. 1342 S. ATHERTON STREET, SUITE 2  
STATE COLLEGE, PA 16801

BENEFICIAL MORTGAGE CO. OF PA 2642 CONSTITUTION BLVD.  
BEAVER FALLS, PA 15010-1276

BENEFICIAL MORTGAGE CO. OF PA 654 WEST MAIN STREET  
MT. PLEASANT, PA 15666-1815

BENEFICIAL MORTGAGE CO. OF PA 118 N CENTER STREET  
CORRY, PA 16407-1625

BENEFICIAL MORTGAGE CO. OF PA 419 STONEHEDGE DRIVE  
CARLISLE, PA 17013-9168

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

**NONE**

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

CLEARFIELD COUNTY DOMESTIC  
RELATIONS DEPARTMENT

CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PA 16830

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

COMMONWEALTH OF PA  
DEPT. OF WELFARE

P.O. BOX 2675  
HARRISBURG, PA 17105

**TENANT/OCCUPANT**

305 COAL STREET  
OSCEOLA MILLS, PA 16666

(Attach separate sheet if more space is needed)

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

March 13, 2001  
Date

*Frank Federman*  
FRANK FEDERMAN, ESQ.  
Attorney for Plaintiff

FILED  
MAR 14 2001  
SAC  
SHAW  
cc

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CONTIMORTGAGE CORPORATION )  
Plaintiff ) CIVIL DIVISION  
vs. )  
MICHAEL A. BERG )  
CONNIE L. BERG ) NO. 00-1481-CD  
Defendant (s) )

**FILED**

APR 10 2001

**AMENDED**  
**AFFIDAVIT PURSUANT TO RULE 3129.1**

William A. Shaw  
Prothonotary

CONTIMORTGAGE CORPORATION, Plaintiff in the above action, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 305 COAL STREET, OSCEOLA MILLS, PA 16666.

1. Name and address of owner(s) or reputed owner (s):

MICHAEL A. BERG 1610 NORTH DUBLIN ROAD  
MIDLAND, MI 48642

CONNIE L. BERG 502 1/2 WALTON STREET  
PHILIPSBURG, PA 16866

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

**SAME AS ABOVE**

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

**MANUFACTURERS & TRADERS  
TRUST CO.**

C/O FAIRBANKS CAPITAL CORP.,  
3815 SW TEMPLE  
SALT LAKE CITY, UT 84415

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

CITIFINANCIAL, INC. 1342 S. ATHERTON STREET, SUITE 2  
STATE COLLEGE, PA 16801

BENEFICIAL MORTGAGE CO. OF PA 2642 CONSTITUTION BLVD.  
BEAVER FALLS, PA 15010-1276

BENEFICIAL MORTGAGE CO. OF PA 654 WEST MAIN STREET  
MT. PLEASANT, PA 15666-1815

BENEFICIAL MORTGAGE CO. OF PA 118 N CENTER STREET  
CORRY, PA 16407-1625

BENEFICIAL MORTGAGE CO. OF PA 419 STONEHEDGE DRIVE  
CARLISLE, PA 17013-9168

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

**NONE**

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

CLEARFIELD COUNTY DOMESTIC  
RELATIONS DEPARTMENT

CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PA 16830

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

COMMONWEALTH OF PA P.O. BOX 2675  
DEPT. OF WELFARE HARRISBURG, PA 17105

TENANT/OCCUPANT 305 COAL STREET  
OSCEOLA MILLS, PA 16666

(Attach separate sheet if more space is needed)

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

April 9, 2001  
Date

Frank Federman  
FRANK FEDERMAN, ESQ.  
Attorney for Plaintiff

**FILED**

MAY 03 2001  
M [initials] C C Schilli  
William A. Shaw  
Prothonotary  
FST

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

CONTIMORTGAGE CORPORATION

vs.

MICHAEL A. BERG  
CONNIE L. BERG

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

CLEARFIELD COUNTY

No.: 00-1481-CD

**ORDER**

AND NOW, this 4<sup>th</sup> day of May, 2001, upon consideration of Plaintiff's Motion and the Affidavit of Good Faith Investigation attached thereto, it is hereby ORDERED that Plaintiff may obtain service of the Notice of Sale on the above captioned Defendant(s), CONNIE L. BERG, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to Defendant's last known address and by posting the mortgaged premises.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

RECEIVED  
BY THE COURT:  
\_\_\_\_\_  
J.

**FILED**

MAY 04 2001  
012:05 PM  
William A. Shaw  
Prothonotary

1 CERT TO ATTY

ESQ

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

CONTIMORTGAGE CORPORATION

vs.

MICHAEL A. BERG  
CONNIE L. BERG

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

CLEARFIELD COUNTY

No.: 00-1481-CD

**MOTION FOR SERVICE PURSUANT TO  
SPECIAL ORDER OF COURT**

Plaintiff, by its counsel, Frank Federman, Esquire, moves this Honorable Court for an Order directing service of the Notice of Sale upon the above captioned Defendant(s) by certified mail and regular mail to Defendant's last known address.

1. Attempts to serve Defendant with Notice of Sale have been unsuccessful, as indicated by the Affidavit of Service attached hereto as Exhibit "A."

2. Pursuant to Pennsylvania Rule of Civil Procedure 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Good Faith Investigation setting forth the specific inquiries made and the result there from is attached hereto as Exhibit "B."

**WHEREFORE**, Plaintiff respectfully requests this Honorable Court enter an Order pursuant to Pennsylvania Rule of Civil Procedure 430 directing service of the Notice of Sale by certified mail and regular mail to Defendant's last known address.

**FILED**

MAY 03 2001

William A. Shaw  
Prothonotary

*1 CEN to APP*

*Frank Federman*  
FRANK FEDERMAN, ESQUIRE

ATTORNEY FOR PLAINTIFF

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

CONTIMORTGAGE CORPORATION

vs.

MICHAEL A. BERG  
CONNIE L. BERG

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION  
CLEARFIELD COUNTY

No.: 00-1481-CD

### MEMORANDUM OF LAW

Pennsylvania Rule of Civil Procedure 430(a) specifically provides:

(a) If service cannot be made under the applicable rule, the plaintiff may move the Court for a special order directing the method of service. The Motion shall be accompanied by an Affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the Defendant and the reasons why service cannot be made.

Note: A Sheriff's return of "Not Found" or the fact that a Defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. Gonzales vs. Polis, 238 Pa. Super. 362, 357 A.2d 580 (1976). "Notice of intended adoption mailed to last known address requires a good faith effort to discover the correct address." Adoption of Walker, 468 Pa. 165, 360 A.2d 603 (1976).

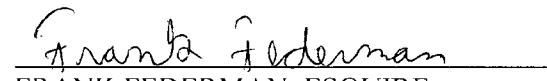
An illustration of good faith effort to locate the defendant includes (1) inquires of postal authorities including inquiries pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, (2) inquiries of relatives neighbors, friends and employers of the Defendant and (3) examinations of local telephone directories, voter registration records, local tax records, and motor vehicle records.

As indicated by the attached Affidavit of Service, marked hereto as Exhibit "A", the Sheriff has been unable to serve the Notice of Sale. A good faith effort to discover the

whereabouts of the Defendant has been made as evidenced by the attached Affidavit of Good Faith Investigation, marked Exhibit "B."

**WHEREFORE**, Plaintiff respectfully requests service of the Notice of Sale by certified mail and regular mail to Defendant's last known address.

Respectfully submitted:

  
\_\_\_\_\_  
FRANK FEDERMAN, ESQUIRE  
ATTORNEY FOR PLAINTIFF

AFFIDAVIT OF SERVICE - CLEARFIELD

PLAINTIFF CONTIMORTGAGE CORPORATION

COURT NO. 00-1481-CD

DEFENDANT MICHAEL A. BERG

CONNIE L. BERG

SERVE AT 305 COAL STREET

OSCEOLA MILLS, PA 16666

TYPE OF ACTION

Mortgage Foreclosure  
 Eviction  
 Civil Action  
 Notice of Sheriff's Sale - DATE MAY 4, 2001

SERVED

Served and made known to \_\_\_\_\_, Defendant on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_ M., at \_\_\_\_\_, County of Clearfield, Commonwealth of Pennsylvania, in the manner described below:

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

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

I, \_\_\_\_\_, a competent adult, being duly sworn according to law, depose and state that I personally handed to \_\_\_\_\_ a true and correct copy of the \_\_\_\_\_ issued in the captioned case on the date and at the address indicated above.

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

Notary:

By:

On the 2/27 day of MARCH, 200\_\_\_\_, at 3:46 o'clock  
P. M., Defendant NOT FOUND because:

Moved  Unknown  No Answer  Vacant  
Other: observed (2) posted Sheriff's Sale  
Sworn to and subscribed  
before me this 2/20 day  
of MARCH, 200\_\_\_\_.

Notary:

NOTARIAL SEAL  
MONICA CRILLY, Notary Public  
Altoona, Blair County, PA  
Commission Expires Aug. 27, 2001

FRANK FEDERMAN, ESQUIRE - I.D.#12248  
One Penn Center - Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

EXHIBITA

EXHIBITA

EXHIBITA



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

Philadelphia  
Association of  
Professional  
Process Servers



## AFFIDAVIT OF SERVICE

|   |   |                                 |
|---|---|---------------------------------|
| PLAINTIFF(S)<br>Continental Gasoline Corporation            | CASE NO.<br>GD 00-1481                        | DATE RECEIVED<br>March 16, 2001 |
| DEFENDANT(S)<br>Michael A. Bens                             | Court of Common Pleas<br>of Allegheny County  |                                 |
| SERVE AT<br>1500 Frankford Avenue<br>Philadelphia, PA 19125 | Type of Service<br>Notice of Rent Debtor Suit |                                 |

COMPANY CONTROL NO. 10000000000000000000 REFERENCE NO. 10000000000000000000 SERVED BY Applicant on 16 MAR 2001

Served and made known to Michael A. Bens Accepted By: Michael A. Bens

on the 16 day of March, 2001, at 8:30 o'clock,

in the Commonwealth of Pennsylvania, in the manner described below:

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

*See Attached  
Affidavit*

DESCRIPTION AGE HEIGHT WEIGHT RACE SEX  
On the 16 day of April, at 8:30 o'clock, P.M.,  
Co-defendant Michael Bens, Unknown,  No  Yes  Vacant  Other

*4 attempts, no answer*

### DEPUTIZED SERVICE

Now, this 17th day of March, 2001, I do hereby depose the Sheriff of County to serve this and make return therof and according to Law.

By a Competent Adult)

County Sheriff's Check #

Special Instructions for  
Please RUSH!!

### NAME OF SERVER

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

Sworn to & subscribed before me this

day of 16 2001

Sheriff  
Process Server /  
Competent Adult

Law Firm Frankman, Esquire  
Attorney's Name Michael Frankman, Esquire  
Address 5000 Frankford Ave, Penn Center  
Philadelphia, PA 19125-1314

ATTEST SALE DATE  
PRO PROTHY  
**EXHIBIT A**  
May 4, 2001

AFFIDAVIT OF SERVICE - CLEARFIELD

PLAINTIFF CONTIMORTGAGE CORPORATION

COURT NO. 00-1481-CD

DEFENDANT MICHAEL A. BERG

TYPE OF ACTION

CONNIE L. BERG

Mortgage Foreclosure  
 Eviction  
 Civil Action  
 Notice of Sheriff's Sale - DATE MAY 4, 2001

SERVE AT 502 1/2 WALTON STREET

PHILIPSBURG, PA 16866

SERVED

Served and made known to \_\_\_\_\_, Defendant on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_. M., at \_\_\_\_\_, County of Clearfield, Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.

Adult family member with whom Defendant(s) reside(s).

Relationship is \_\_\_\_\_.

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

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

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

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

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

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

I, \_\_\_\_\_, a competent adult, being duly sworn according to law, depose and state that I personally handed to \_\_\_\_\_ a true and correct copy of the \_\_\_\_\_ issued in the captioned case on the date and at the address indicated above.

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

Notary:

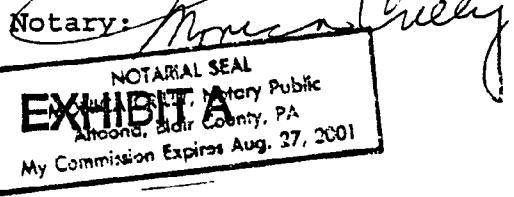
By:

On the 1200 day of MARCH, 200\_\_\_\_, at 7:23 o'clock  
P. M., Defendant NOT FOUND because:

Moved  Unknown  No Answer  Vacant (814)  
Other: For Sale Sign - Realty World 342-1644

Sworn to and subscribed  
before me this 2360 day  
of MARCH, 200\_\_\_\_.

By:



FRANK FEDERMAN, ESQUIRE - I.D. #12248  
One Penn Center - Suite 1400  
Philadelphia, PA 19103  
610-633-7000

EXHIBITA

7106 4575 1294 1902 3208

**TO:** CONNIE L. BERG  
502 1/2 WALTON STREET  
PHILIPSBURG, PA 16866

**SENDER:** GMW  
**REFERENCE:** MICHAEL BERG

PS Form 3800, June 2000

| RETURN RECEIPT SERVICE | Postage |
|------------------------|---------|
| Certified Fee          | 2.65    |
| Return Receipt Fee     | 0.00    |
| Restricted Delivery    | 2.75    |
| Total Postage & Fees   | 6.94    |

US Postal Service  
**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



7106 4575 1294 1902 3215

**TO:** MICHAEL BERG  
305 COAL STREET  
OSCEOLA MILLS, PA 16666

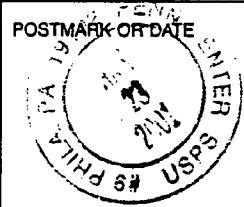
**SENDER:** GMW  
**REFERENCE:** MICHAEL BERG

PS Form 3800, June 2000

| RETURN RECEIPT SERVICE | Postage |
|------------------------|---------|
| Certified Fee          | 2.65    |
| Return Receipt Fee     | 0.00    |
| Restricted Delivery    | 2.75    |
| Total Postage & Fees   | 6.94    |

US Postal Service  
**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



7106 4575 1294 1902 3192

**TO:** MICHAEL A. BERG  
1610 NORTH DUBLIN ROAD  
MIDLAND, MI 48642

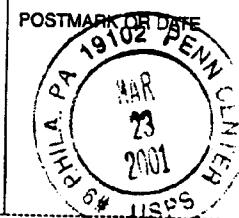
**SENDER:** GMW  
**REFERENCE:** MICHAEL A. BERG

PS Form 3800, June 2000

| RETURN RECEIPT SERVICE | Postage |
|------------------------|---------|
| Certified Fee          | 2.65    |
| Return Receipt Fee     | 0.00    |
| Restricted Delivery    | 2.75    |
| Total Postage & Fees   | 6.94    |

US Postal Service  
**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



7106 4575 1294 1902 3222

**TO:** CONNIE L. BERG  
305 COAL STREET  
OSCEOLA MILLS, PA 16666

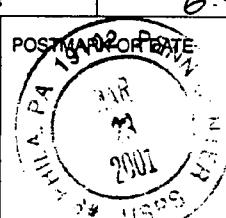
**SENDER:** GMW  
**REFERENCE:** MICHAEL BERG

PS Form 3800, June 2000

| RETURN RECEIPT SERVICE | Postage |
|------------------------|---------|
| Certified Fee          | 2.65    |
| Return Receipt Fee     | 0.00    |
| Restricted Delivery    | 2.75    |
| Total Postage & Fees   | 6.94    |

US Postal Service  
**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



**EXHIBITA**

**EXHIBITA**

**EXHIBITA**

## PLAYERS NATIONAL LOCATOR

### AFFIDAVIT OF GOOD FAITH INVESTIGATION

Loan Number: 0005705736

Attorney Firm: TRACK STARS

Case Number:

Subject: MICHAEL A & CONNIE L BERG

A.K.A.: None

Last Known Address: 305 COAL STREET  
OSCEOLA MILLS, PA 16666

Last Known Number: ( ) -

Michael K Gross, being duly sworn according to law, deposes and says:

1. I am employed in the capacity of President for Players National Locator.
2. On 06/26/2000, I conducted an investigation into the whereabouts of the above named defendant(s). The results of my investigation are as follows:

#### CREDIT INFORMATION -

A. SOCIAL SECURITY NUMBER: 161-46-2228 190-40-0613

B. EMPLOYMENT SEARCH:

Unable to locate a good employer for Michael and Connie.

C. INQUIRY OF CREDITORS:

The creditors indicated that Michael and Connie are living at 305 Coal Street, Osceola Mills, Pa. 16666 with no valid home phone number. Michael and Connie filed chapter 7 bankruptcy in June 2000 with attorney John Ryan. Case # 2000-24548 with no release date given.

#### INQUIRY OF TELEPHONE COMPANY -

A. DIRECTORY ASSISTANCE SEARCH:

The directory assistance has no listing for Michael and Connie Berg.

#### INQUIRY OF NEIGHBORS -

Contacted 814-339-6891 registered at 307 Coal Street and spoke with a neighbor who confirmed that Michael and Connie Berg are both living at 305 Coal Street, Osceola Mills, Pa. 16666.

#### INQUIRY OF POST OFFICE -

A. NATIONAL ADDRESS UPDATE:

As of June 22, 2000 the National Change of Address (NCOA) has no change for Michael and Connie from last known address.

#### MOTOR VEHICLE REGISTRATION -

A. MOTOR VEHICLE & DMV OFFICE:

The Pennsylvania Department of Drivers Licensing has Michael and Connie listed at last known address.

#### OTHER INQUIRIES -

A. DEATH RECORDS:

As of June 22, 2000 the Social Security Administration has no death records on file for Michael A and Connie L Berg under their social security numbers.

EXHIBIT B

EXHIBIT B

EXHIBIT B

B. PUBLIC LICENSES ( PILOT, REAL ESTATE ETC. ):  
None Found

C. COUNTY VOTER REGISTRATION:

The Voters Registration Office has Michael and Connie listed at last known address.

ADDITIONAL INFORMATION ON SUBJECT -

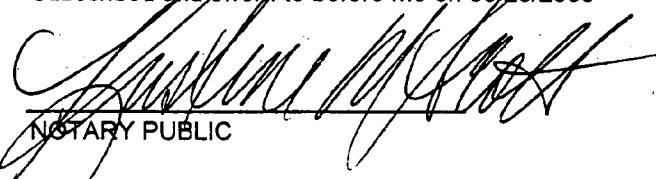
A. DATE OF BIRTH:

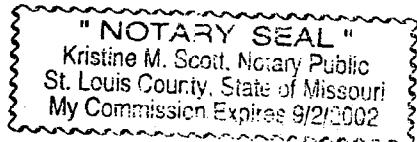
Michael 1954

Connie 1951

  
AFFIANT Michael K Gross

Subscribed and sworn to before me on 06/26/2000

  
NOTARY PUBLIC



Players National Locator 16201 Westwoods Business Park Drive St. Louis, MO 63021  
Phone: (636) 230-9922 Fax: (636) 230-0558

EXHIBIT B

EXHIBIT B

EXHIBIT B

**VERIFICATION**

**FRANK FEDERMAN, ESQUIRE**, hereby states that he is the Attorney for the Plaintiff in this action, that he is authorized to take this Affidavit, and that the statements made in the foregoing **MOTION FOR SERVICE OF THE NOTICE OF SALE PURSUANT TO SPECIAL ORDER OF COURT** are true and correct to the best of his knowledge, information and belief.

The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

Frank Federman  
FRANK FEDERMAN, ESQUIRE  
ATTORNEY FOR PLAINTIFF

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

CONTIMORTGAGE CORPORATION

vs.

MICHAEL A. BERG  
CONNIE L. BERG

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

CLEARFIELD COUNTY

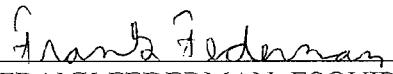
No.: 00-1481-CD

**CERTIFICATION OF SERVICE**

I, FRANK FEDERMAN, ESQUIRE, hereby certify that a copy of the Motion for Service  
Pursuant to Special Order of Court has been sent to the individuals indicated below on  
April 26, 2001.

MICHAEL A. BERG  
305 COAL STREET  
OSCEOLA MILLS, PA 16666

CONNIE L. BERG  
305 COAL STREET  
OSCEOLA MILLS, PA 16666

  
\_\_\_\_\_  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

Date: April 26, 2001

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000  
CONTIMORTGAGE CORPORATION

v.

MICHAEL A. BERG  
CONNIE L. BERG

ATTORNEY FOR PLAINTIFF  
COURT OF COMMON PLEAS  
CIVIL DIVISION

NO.00-1481-CD

CLEARFIELD COUNTY

AFFIDAVIT OF SERVICE OF NOTICE OF SHERIFF'S SALE  
PURSUANT TO P.R.C.P., 404(2)/403

FRANK FEDERMAN, ESQUIRE, Attorney for Plaintiff, hereby certifies that service of the Notice of Sheriff's Sale was made by sending a true and correct copy by certified mail to Defendant, MICHAEL A. BERG at 1610 N. DUBLIN, MIDLAND, MI 48642 which notice of Sheriff's Sale was received by Defendant, MICHAEL A. BERG on 3/16/01 as evidenced by the attached return receipt.

The undersigned understands that this statement is made subject to the penalties of 18 PA C.S. s 4904 relating to unsworn falsification to authorities.

**FILED**

March 22, 2001

APR 02 2001

William A. Shaw  
Prothonotary

*Frank Federman*  
FRANK FEDERMAN, ESQUIRE  
ATTORNEY FOR PLAINTIFF

**FILED**

APR 02 2001

02:55 70cc  
William A. Shaw

Prothonotary

FILED

APR 09 2001  
mra:341no cc  
William A. Shaw  
Prothonotary

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

Attorney for Plaintiff

|                            |   |                       |
|----------------------------|---|-----------------------|
| CONTI MORTGAGE CORPORATION | : | COURT OF COMMON PLEAS |
| PLAINTIFF                  | : |                       |
| VS.                        | : | CLEARFIELD COUNTY     |
|                            | : |                       |
|                            | : | No. 00-1481-CD        |
| MICHAEL A. BERG            | : |                       |
| CONNIE L. BERG             | : |                       |
|                            | : |                       |
| DEFENDANT                  | : |                       |

PRAECIPE TO SUBSTITUTE VERIFICATION

TO THE PROTHONOTARY:

Kindly substitute the attached Verification with respect to the Complaint filed in the instant matter.

Frank Federman  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

Date: April 5, 2001

**FILED**

APR 09 2001

William A. Shaw  
Prothonotary

VERIFICATION

JOHN SHELLEY hereby states that he is FORECLOSURE MANAGER of FAIRBANKS CAPITAL CORPORATION 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.

A handwritten signature in black ink, appearing to read "John Shelley", is written over a horizontal line.

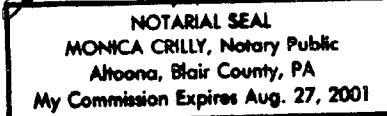
DATE: 4-2-01

AFFIDAVIT OF SERVICE - CLEARFIELDPLAINTIFF CONTIMORTGAGE CORPORATIONCOURT NO. 00-1481-CDDEFENDANT CONNIE L. BERGTYPE OF ACTION Mortgage Foreclosure Eviction Civil Action Notice of Sheriff'sSale - DATE JULY 6, 2001SERVE AT 305 COAL STREETOSCEOLA MILLS, PA 16666

PLEASE POST THE PROPERTY WITH NOS

SERVEDServed and made known to Connie L. Berg, Defendant on the 05th day of June, 2001, at 4:05 o'clock, P. M., at 305 Coal Street, Osceola Mills, PA 16666, County of Clearfield, Commonwealth of Pennsylvania, in the manner described below: Defendant personally served. Adult family member with whom Defendant(s) reside(s).Relationship is Daughter. Adult in charge of Defendant's residence who refused to give name/relationship. Manager/Clerk of place of lodging in which Defendant(s) reside(s). Agent or person in charge of Defendant's office or usual place of business. an officer of said defendant company. other: Posted property with notice.Description: Age 30 Height 5'5" Weight 125 Race White Sex F  
Other NoneI, Thomas P. Chathams, a competent adult, being duly sworn according to law, depose and state that I personally handed to Connie L. Berg 305 Coal Street, Osceola Mills, PA 16666, a true and correct copy of the Notice issued in the captioned case on the date and at the address indicated above.Sworn to and subscribed  
before me this 4th day  
of June, 2001.

Notary:



NOT SERVED

On the 4th day of June, 2001, at 4:05 o'clock  
P. M., Defendant NOT FOUND because: Moved     Unknown     No Answer     Vacant

Other:

Sworn to and subscribed  
before me this 4th day  
of June, 2001.

By:

Notary:

FILED

FRANK FEDERMAN, ESQUIRE - I.D.#12248  
One Penn Center - Suite 1400  
Philadelphia, PA 19103JUN 14 2001  
William A. Shaw  
Prothonotary

FILED

JUN 14 2001  
m10/9/ncc  
William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

RE: CONTIMORTGAGE CORPORATION

)  
CIVIL ACTION

)

vs.

MICHAEL A. BERG  
CONNIE L. BERG

)  
CIVIL DIVISION  
NO. 00-1481-CD

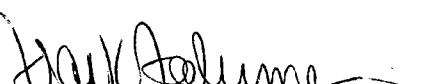
**AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129**

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD )

SS:

I, FRANK FEDERMAN, ESQUIRE attorney for CONTIMORTGAGE  
CORPORATION hereby verify that on MARCH 23, 2001, and APRIL 9, 2001 true  
and correct copies of the Notice of Sheriff's sale were served by certificate of mailing to  
the recorded lienholders, and any known interested party see Exhibit "A" attached hereto.  
Notice of Sale was sent to the Defendant(s) on MARCH 23, 2001 by certified mail return  
receipt requested see Exhibit "B" attached hereto.

DATE: June 28, 2001

  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

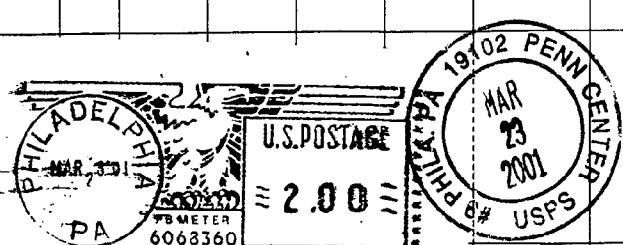
**FILED**

JUL 02 2001  
1771338100  
William A. Shaw  
Prothonotary  


Name and  
Address  
of Sender

FEDERMAN & PHELAN  
ONE PENN CENTER, SUBURBAN STATION, SUITE 1400  
PHILADELPHIA, PA 19102

| Line   | Article Number | Name of Addressee, Street, and Post Office Address   | Postage   | Fee |
|--|----------------|--|---|-----|
| 1  | GMW            | TENANT/OCCUPANT<br>395 COAL STREET<br>OSCEOLA MILLS, PA 16666  |   |     |
| 2  |                | COMMONWEALTH OF PA<br>DEPT OF WELFARE<br>P.O. BOX 2675<br>HARRISBURG, PA 17105                               |   |     |
| 3  |                | CLEARFIELD COUNTY DOMESTIC<br>RELATIONS DEPARTMENT<br>CLEARFIELD COUNTY COURTHOUSE<br>230 EAST MARKET STREET |   |     |
| 4  |                | CITIFINANCIAL, INC.<br>1342 S. THERETON STREET<br>SUITE 2<br>STATE COLLEGE, PA 16801                         |   |     |
| 5  |                | BENEFICIAL MORTGAGE CO. OF PA<br>2642 CONSTITUTION BLVD.<br>BEAVER FALLS, PA 15010-1276                      |   |     |
| 6  |                | BENEFICIAL MORTGAGE CO. OF PA<br>654 WEST MAIN STREET<br>MT. PLEASANT, PA 15666-1815                         |   |     |
| 7.   |                | BENEFICIAL MORTGAGE CO. OF PA<br>118 N. CENTER STREET<br>CARRY, PA 16407-1625                                |   |     |
| 8.   |                | BENEFICIAL MORTGAGE CO. OF PA<br>419 STONEHEDGE DRIVE<br>CARLISLE, PA 17013-9168                             |   |     |
| 9.   |                |  |   |     |
| 10.  |                | MICHAEL A. BERG  |   |     |
| Total Number of 8<br>Pieces Listed by Sender |                | 8  | Postmaster, Per (Name of Receiving<br>Employee) |     |

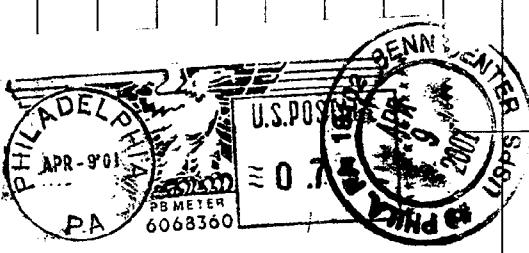


Name and  
Address  
of Sender

→

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

| Line                                       | Article Number                                    | Name of Addressee, Street, and Post Office Address   | Postage  | Fee |
|--|---|--|--|-----|
| 1  | GMW<br>***  | MANUFACTURERS & TRADERS<br>TRUST CO.<br>C/O FAIRBANKS CAPITAL CORP.,<br>3815 SW TEMPLE<br>SALT LAKE CITY, UT 84415 |  |     |
| 2  | ****  |  |  |     |
| 3  | ****  |  |  |     |
| 4  | ****  |  |  |     |
| 5  |   |  |  |     |
| 6  | ****  |  |  |     |
| 7  | ****  |  |  |     |
| 8  | ****  |  |  |     |
| 9  | ****  |  |  |     |
| 10   | ****  |  |  |     |
| 11   | ****  |  |  |     |
| 12   | ****  |  |  |     |
| 13   | ****  |  |  |     |
| 14   |   |  |  |     |
| 15   |   | RE: BERG, M<br>GMW   |  |     |
| Total Number of<br>Pieces Listed by Sender | Total Number of Pieces<br>Received at Post Office | 1  | Postmaster, Per Name of Receiving<br>Employee) |     |



7106 4575 1294 1902 3192

**TO:** MICHAEL A. BERG  
1610 NORTH DUBLIN ROAD  
MIDLAND, MI 48642

**SENDER:** GMW

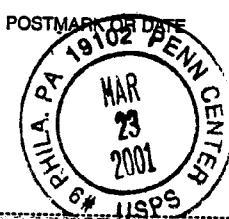
**REFERENCE:** MICHAEL A. BERG

PS Form 3800, June 2000

| RETURN<br>RECEIPT<br>SERVICE | Postage |  |
|------------------------------|---------|--|
| Certified Fee                | 2.65    |  |
| Return Receipt Fee           | 0.00    |  |
| Restricted Delivery          | 2.75    |  |
| Total Postage & Fees         | 6.94    |  |

US Postal Service  
**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



7106 4575 1294 1902 3208

**TO:** CONNIE L. BERG  
502 1/2 WALTON STREET  
PHILIPSBURG, PA 16866

**SENDER:** GMW

**REFERENCE:** MICHAEL BERG

PS Form 3800, June 2000

| RETURN<br>RECEIPT<br>SERVICE | Postage |  |
|------------------------------|---------|--|
| Certified Fee                | 2.65    |  |
| Return Receipt Fee           | 0.00    |  |
| Restricted Delivery          | 2.75    |  |
| Total Postage & Fees         | 6.94    |  |

US Postal Service

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



7106 4575 1294 1902 3222

**TO:** CONNIE L. BERG  
305 COAL STREET  
OSCEOLA MILLS, PA 16666

**SENDER:** GMW

**REFERENCE:** MICHAEL BERG

PS Form 3800, June 2000

| RETURN<br>RECEIPT<br>SERVICE | Postage |  |
|------------------------------|---------|--|
| Certified Fee                | 2.65    |  |
| Return Receipt Fee           | 0.00    |  |
| Restricted Delivery          | 2.75    |  |
| Total Postage & Fees         | 6.94    |  |

US Postal Service  
**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



7106 4575 1294 1902 3215

**TO:** MICHAEL BERG  
305 COAL STREET  
OSCEOLA MILLS, PA 16666

**SENDER:** GMW

**REFERENCE:** MICHAEL BERG

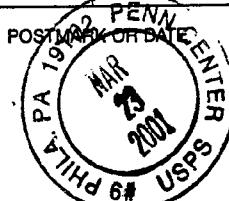
PS Form 3800, June 2000

| RETURN<br>RECEIPT<br>SERVICE | Postage |  |
|------------------------------|---------|--|
| Certified Fee                | 2.65    |  |
| Return Receipt Fee           | 0.00    |  |
| Restricted Delivery          | 2.75    |  |
| Total Postage & Fees         | 6.94    |  |

US Postal Service

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



**FEDERMAN AND PHELAN**  
**BY: FRANK FEDERMAN**  
**IDENTIFICATION NO. 12248**  
**SUITE 1400 - ONE PENN CENTER**  
**PHILADELPHIA, PA 19103**  
**215) 563-7000**

ATTORNEY FOR PLAINTIFF

CONTIMORTGAGE CORPORATION  
vs.

MICHAEL A. BERG  
CONNIE L. BERG

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
CIVIL DIVISION

NO. 00-1481-CD

VERIFICATION

I hereby certify that a true and correct copy of the Notice of Sheriff's Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to the following person(s) CONNIE L. BERG on MAY 18, 2001 at:

502 1/2 WALTON STREET, PHILIPSBURG, PA 16866  
1610 NORTH DUBLIN ROAD, MIDLAND, MI 48642  
305 COAL STREET, OSCEOLA MILLS, PA 16666

in accordance with the Order of Court dated, MAY 4, 2001.

The undersigned understands that this statement is made subject to the penalties of 18 PA. C.S. s4904 relating to unsworn falsification to authorities.

*Frank Federman*  
FRANK FEDERMAN, ESQUIRE  
ATTORNEY FOR PLAINTIFF

DATE: June 28, 2001

**FILED**

JUL 02 2001  
M 1357 NOCC  
William A. Shaw  
Prothonotary

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

CONTIMORTGAGE CORPORATION

vs.

MICHAEL A. BERG  
CONNIE L. BERG

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

CLEARFIELD COUNTY

No.: 00-1481-CD

**FEDERMAN AND PHELAN  
ATTORNEY FILE COPY  
PLEASE RETURN**

ORDER

**FEDERMAN AND PHELAN  
ATTORNEY FILE COPY  
PLEASE RETURN**

AND NOW, this 4<sup>th</sup> day of MAY, 2001, upon consideration of Plaintiff's Motion and the Affidavit of Good Faith Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Notice of Sale on the above captioned Defendant(s), CONNIE L. BERG, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to Defendant's last known address and by posting the mortgaged premises.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

BY THE COURT:

**FEDERMAN AND PHELAN  
ATTORNEY FILE COPY  
PLEASE RETURN**

/s/JOHN K. REILLY, JR.

J.

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

MAY 04 2001

Attest: *William J. Ober*  
Prothonotary

7106 4575 1294 3598 1216

TO: CONNIE L. BERG  
1610 NORTH DUBLIN ROAD  
MIDLAND, MI 48642

7106 4575 1294 3598 1230

TO: CONNIE L. BERG  
305 COAL STREET  
OSCEOLA MILLS, PA 16666

SENDER: GMW

REFERENCE: MICHAEL BERG

SENDER: GMW

REFERENCE: MICHAEL BERG

PS Form 3800, June 2000

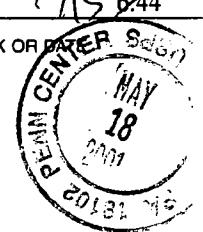
| RETURN<br>RECEIPT<br>SERVICE | Postage              | .34      |
|------------------------------|----------------------|----------|
|                              | Certified Fee        | 2.90     |
|                              | Return Receipt Fee   | 0.00     |
|                              | Restricted Delivery  | 3.20     |
|                              | Total Postage & Fees | 715 6.44 |

US Postal Service

POSTMARK OR DATE

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



PS Form 3800, June 2000

| RETURN<br>RECEIPT<br>SERVICE | Postage              | .34      |
|------------------------------|----------------------|----------|
|                              | Certified Fee        | 2.90     |
|                              | Return Receipt Fee   | 0.00     |
|                              | Restricted Delivery  | 3.20     |
|                              | Total Postage & Fees | 715 6.44 |

US Postal Service

POSTMARK OR DATE

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail

7106 4575 1294 3598 1223

TO: CONNIE L. BERG  
502 1/2 WALTON STREET  
PHILIPSBURG, PA 16866

SENDER: GMW

REFERENCE: MICHAEL BERG

PS Form 3800, June 2000

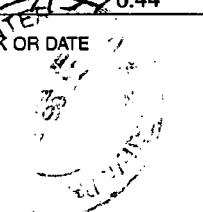
| RETURN<br>RECEIPT<br>SERVICE | Postage              | .34      |
|------------------------------|----------------------|----------|
|                              | Certified Fee        | 2.90     |
|                              | Return Receipt Fee   | 0.00     |
|                              | Restricted Delivery  | 3.20     |
|                              | Total Postage & Fees | 715 6.44 |

US Postal Service

POSTMARK OR DATE

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ATTORNEY FOR PLAINTIFF  
ONE PENN CENTER AT SUBURBAN STATION  
1617 JOHN F. KENNEDY BOULEVARD, SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

**CONTI MORTGAGE CORPORATION  
ONE CONTIPARK  
38 SOUTH WARMINSTER ROAD  
HATBORO, PA 19040-3430**

v.

**CLEARFIELD COUNTY**

**COURT OF COMMON PLEAS  
CIVIL DIVISION**

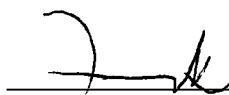
**NO.: 00-1481-CD**

**MICHAEL A. BERG  
CONNIE L. BERG  
305 COAL STREET  
OSCEOLA MILLS, PA 16666**

**PRAECIPE TO MARK JUDGMENT TO USE PLAINTIFF**

TO THE PROTHONOTARY:

Please mark the judgment in the above captioned matter to the use of  
**CHRISTIANA BANK AND TRUST COMPANY AS OWNER TRUSTEE OF THE  
SECURITY NATIONAL FUNDINGTRUST.**

  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

**FILED**

Date: December 31, 2003

JAN 05 2004

**ENTRY OF APPEARANCE**

TO THE PROTHONOTARY:

William A. Shaw  
Prothonotary

Kindly enter my appearance on behalf of **CHRISTIANA BANK AND  
TRUST COMPANY AS OWNER TRUSTEE OF THE SECURITY NATIONAL  
FUNDINGTRUST, 51 VERONICA AVENUE, TWIN TOWERS OFFICE  
CENTER, SOMERSET, NJ 08873, USE PLAINTIFF.**

  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

Date: December 31, 2003

FILED

0 10:31 AM NOV 10 2004  
Clerk of Court

JAN 05 2004

William A. Shaw  
Prothonotary

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

---

**CONTI MORTGAGE CORPORATION**

---

vs.

---

**MICHAEL A. BERG**  
**CONNIE L. BERG**

---

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

**No. 00-1481-CD**

**PRAECIPE FOR WRIT OF EXECUTION**  
**(MORTGAGE FORECLOSURE)**

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

| Amount Due |                    |
|------------|--------------------|
|            | <u>\$51,689.33</u> |

|                                |  |
|--------------------------------|--|
| Interest from 2/21/01 to       |  |
| Date of Sale (\$8.50 per diem) |  |

and Costs.

*140.00 Prothonotary Costs*

  
\_\_\_\_\_  
Frank Federman, Esquire  
Attorney for Plaintiff  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814

Note: Please attach description of Property.

SZB

**FILED**

**NOV 06 2003**

William A. Shaw  
Prothonotary/Clerk of Courts

No. 00-1481-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CONTI MORTGAGE CORPORATION

vs.

MICHAEL A. BERG  
CONNIE L. BERG

---

PRAECEIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Attorney for Plaintiff(s)

Address: 305 COAL STREET, OSCEOLA MILLS, PA 16666  
305 COAL STREET, OSCEOLA MILLS, PA 16666  
Where papers may be served.

FILED *Atty pd. 20.00*  
*11/2/2003*  
NOV 06 2003 ICC & (e) writs w/ prop. descr. attached

William A. Shaw  
Prothonotary/Clerk of Courts

FEDERMAN AND PHELAN, LLP  
By: FRANK FEDERMAN, ESQUIRE  
ONE PENN CENTER AT  
SUBURBAN STATION  
1617 JOHN F. KENNEDY BOULEVARD  
SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF  
COURT OF COMMON PLEAS  
CIVIL DIVISION

CONTI MORTGAGE CORPORATION

No.: 00-1481-CD

vs.

MICHAEL A. BERG  
CONNIE L. BERG

CLEARFIELD COUNTY

CERTIFICATION

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

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

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



FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

CONTI MORTGAGE CORPORATION

CLEARFIELD COUNTY

No.: 00-1481-CD

vs.

MICHAEL A. BERG  
CONNIE L. BERG

**AFFIDAVIT PURSUANT TO RULE 3129**  
**(Affidavit No. 1)**

CONTI MORTGAGE CORPORATION, Plaintiff in the above action, by its attorney, Frank Federman, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 305 COAL STREET, OSCEOLA MILLS, PA 16666:

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

| Name | Last Known Address (if address cannot be reasonably ascertained, please indicate) |
|------|---|
|------|---|

|                 |  |
|-----------------|--|
| MICHAEL A. BERG | 305 COAL STREET<br>OSCEOLA MILLS, PA 16666 |
|-----------------|--|

|                |  |
|----------------|--|
| CONNIE L. BERG | 305 COAL STREET<br>OSCEOLA MILLS, PA 16666 |
|----------------|--|

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

SAME AS ABOVE

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. Sec. 4904 relating to unsworn falsification to authorities.

  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

November 4, 2003

JTI MORTGAGE CORPORATION

CLEARFIELD COUNTY

No.: 00-1481-CD

MICHAEL A. BERG  
CONNIE L. BERG

**AFFIDAVIT PURSUANT TO RULE 3129**  
**(Affidavit No. 2)**

CONTI MORTGAGE CORPORATION, Plaintiff in the above action, by its attorney, Frank Federman, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 305 COAL STREET, OSCEOLA MILLS, PA 16666:

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

| Name | Last Known Address (if address cannot be reasonably ascertained, please indicate) |
|------|---|
|------|---|

|                                   |  |
|-----------------------------------|--|
| MANUFACTURERS & TRADERS TRUST CO. | C/O FAIRBANK CAPITAL CORP.<br>3815 SW TEMPLE<br>SALT LAKE CITY, UT 84115 |
|-----------------------------------|--|

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

| Name | Last Known Address (if address cannot be reasonable ascertained, please indicate) |
|------|---|
|------|---|

|                     |   |
|---------------------|---|
| CITIFINANCIAL, INC. | 1342 S. ATHERTON STREET, SUITE 2<br>STATE COLLEGE, PA 16801 |
|---------------------|---|

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

|      |   |
|------|---|
| Name | Last Known Address (if address cannot be reasonable ascertained, please indicate) |
|------|---|

None.

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

|      |   |
|------|---|
| Name | Last Known Address (if address cannot be reasonably ascertained, please indicate) |
|------|---|

|                                      |  |
|--------------------------------------|--|
| Clearfield County Domestic Relations | Clearfield County Courthouse<br>230 East Market Street<br>Clearfield, PA 16830 |
|--------------------------------------|--|

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

|      |   |
|------|---|
| Name | Last Known Address (if address cannot be reasonably ascertained, please indicate) |
|------|---|

|   |                                     |
|---|-------------------------------------|
| Commonwealth of Pennsylvania<br>Department of Welfare | PO Box 2675<br>Harrisburg, PA 17105 |
|---|-------------------------------------|

|                 |  |
|-----------------|--|
| Tenant/Occupant | 305 COAL STREET<br>OSCEOLA MILLS, PA 16666 |
|-----------------|--|

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. Sec. 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

November 4, 2003

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)  
Pa.R.C.P. 3180 to 3183 and Rule 3257

---

**CONTI MORTGAGE CORPORATION**

---

vs.

---

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO.: 00-1481-CD

**MICHAEL A. BERG  
CONNIE L. BERG**

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

**Commonwealth of Pennsylvania:**

**County of Clearfield:**

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

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

Premises: **305 COAL STREET, OSCEOLA MILLS, PA 16666**

(See legal description attached.)

|  |  |
|--|--|
| Amount Due   | <u>\$51,689.33</u>   |
| Interest from 2/21/01 to<br>Date of Sale (\$8.50 per diem) | \$ _____   |
| Total  | \$ _____ Plus costs as endorsed.<br><i>140.00 Prothonotary costs</i> |

Dated November 6, 2003  
(SEAL)

Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

By:

Deputy

SZB

No. 00-1481-CD

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

## CONTI MORTGAGE CORPORATION

VS.

MICHAEL A. BERG  
CONNIE L. BERG

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

Attorney for Plaintiff

Address: 305 COAL STREET, OSCEOLA MILLS, PA 16666  
305 COAL STREET, OSCEOLA MILLS, PA 16666  
Where papers may be served.

Frank Federman, Esquire  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

ALL THAT CERTAIN lot or tract of land situate in the Borough of Osceola, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on Coal Street eighty-three (83) feet Northwesterly from a post at the Southwest corner of Coal and Stone Streets and running in a Southwesterly Direction along line of lot of Justin Pie fifty (50) feet to line of lot now or formerly belonging to William Quigley; thence in a Northwesterly direction and on line parallel with Coal Street sixty-seven (67) feet to a point; thence in a Northeasterly direction on a line parallel with Stone Street to Coal Street; thence in a Southeasterly direction along Coal Street sixty-seven (67) feet to a point, the place of beginning. Being part of a larger lot of ground known as Lot No. 233 in the general plan of Osceola Borough.

Tax Parcel #013-379-00065

TITLE TO SAID PREMISES IS VESTED IN Michael A. Berg and Connie L. Berg, husband and wife by Deed from Alberta V. Cowfer, a widow dated 10/1/85, recorded 10/24/85, in Deed Book 1047, page 349.

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

CONTIMORTGAGE CORPORATION  
ONE CONTIPARK 338 SOUTH  
WARMINSTER ROAD  
HATBORO, PA 19040-3430

:\ CLEARFIELD  
:\  
:\ COURT OF COMMON  
:\ PLEAS  
:\  
:\ CIVIL DIVISION  
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:\ NO. 00-1481-CD  
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MICHAEL A. BERG  
CONNIE L. BERG  
305 COAL STREET  
OSCEOLA MILLS, PA 16666  
Defendant(s)

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

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

Premises: 305 COAL STREET, OSCEOLA MILLS, PA 16666  
(see attached legal description)

|   |              |
|---|--------------|
| Amount Due  | \$ 51,689.33 |
| Interest from<br>2/22/01 TO SALE<br>(Per Diem - \$8.49) | \$ 611.28    |
| Costs:  | \$ 120.00    |
| Total   | \$ 52,420.61 |

RECEIVED MAR 2 2001

RESERVED FOR 2-25-61  
① 11:55 AM  
Chester A. Hawkins  
by Margaret W. Pitt

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

Dated: 3/1/01 (Seal)

ALL THAT CERTAIN lot or tract of land situate in the Borough of Osceola, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on Coal Street eighty-three (83) feet Northwesterly from a post at the Southwest corner of Coal and Stone Streets and running in a Southwesterly Direction along line of lot of Justin Pie fifty (50) feet to line of lot now or formerly belonging to William Quigley; thence in a Northwesterly direction and on line parallel with Coal Street sixty-seven (67) feet to a point; thence in a Northeasterly direction on a line parallel with Stone Street to Coal Street; thence in a Southeasterly direction along Coal Street sixty-seven (67) feet to a point, the place of beginning. Being part of a larger lot of ground known as Lot No. 233 in the general plan of Osceola Borough.

Tax Parcel #013-379-00065

TITLE TO SAID PREMISES IS VESTED IN Michael A. Berg and Connie L. Berg, husband and wife by Deed from Alberta V. Cowfer, a widow dated 10/1/85, recorded 10/24/85, in Deed Book 1047, page 349.

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

Sheriff Docket # 10790

CONTIMORTGAGE CORPORATION

00-1481-CD

vs.

BERG, MICHAEL A. 00-1481

**WRIT OF EXECUTION      REAL ESTATE**

**SHERIFF RETURNS**

---

**NOW, MARCH 19, 2001, AT 1:55 PM O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANTS. PROPERTY WAS POSTED THIS DATE.**

**A SALE IS SET FOR FRIDAY, JUNE 1, 2001, AT 10:00 AM O'CLOCK.**

**NOW, MARCH 20, 2001, MAILED WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY TO MICHAEL A. BERG, DEFENDANT, BY REGULAR AND CERTIFIED MAIL.**

**NOW, MARCH 20, 2001, MAILED WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY TO CONNIE L. BERG, DEFENDANT, BY REGULAR AND CERTIFIED MAIL.**

**NOW, MARCH 23, 2001, RECEIVED CERTIFIED MAIL BACK FOR CONNIE L. BERG, DEFENDANT, AS "UNCLAIMED".**

**NOW, MARCH 23, 2001, SERVED WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY ON MICHAEL A. BERG, DEFENDANT, AT HIS PLACE OF RESIDENCE, 1610 NORTH DUBLIN ROAD, MIDLAND, MI, 48642, BY CERTIFIED MAIL #7000 0600 0023 2701 1342.**

**NOW, MAY 10, 2001, RECEIVED FAX THAT SALE IS POSTPONED TO FRIDAY, JULY 6, 2001, AT 10:00AM.**

**NOW, JULY 6, 2001, RECEIVED FAX FROM FRANK FEDERMAN, ATTORNEY FOR PLAINTIFF, THAT SALE IS TO BE STAYED, LOAN IS BEING CHARGED OFF.**

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

**Sheriff Docket # 10790**

**CONTIMORTGAGE CORPORATION**

**00-1481-CD**

**VS.**

**BERG, MICHAEL A. 00-1481**

**WRIT OF EXECUTION REAL ESTATE**

**SHERIFF RETURNS**

**NOW, JULY 20, 2001, RETURN WRIT AS NO SALE HELD, PLAINTIFF STAYED  
SALE. PAID COSTS FROM ADVANCE AND MADE REFUND OF UNUSED ADVANCE  
TO THE ATTORNEY.**

**SHERIFF HAWKINS \$182.78  
SURCHARGE \$ 40.00  
PAID BY ATTORNEY**

---

**FILED**

**JUL 20 2001**

**013.30pm**

**William A. Shaw**

**Prothonotary**

*EAS*

**So Answers,**

*Chester Hawkins*  
**by Michael A. Pitt**

**Chester A. Hawkins**

**Sheriff**

**Sworn to Before Me This**

**20th Day Of July, 2001**

*William A. Shaw*

**WILLIAM A. SHAW  
Prothonotary**

**My Commission Expires  
1st Monday in Jan. 2002  
Clearfield Co., Clearfield, PA.**

24ET 102 E200 0090 0002

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

Article Sent To: \_\_\_\_\_

|   |          |
|---|----------|
| Postage   | \$ _____ |
| Certified Fee _____                                     |          |
| Return Receipt Fee<br>(Endorsement Required) _____      |          |
| Restricted Delivery Fee<br>(Endorsement Required) _____ |          |
| Total Postage & Fees \$ <u>3.95</u>                     |          |

*CLEARFIELD PA 16830*  
*MAR 20 2001*  
*Postmark*  
*USPS*

Name (Please Print Clearly) (to be completed by mailer)  
**MICHAEL A. BERG**  
Street, Apt. No., or PO Box No.  
**1610 NORTH DUBLIN ROAD**  
**MIDLAND, MI 48642**

PS Form 3800, July 1999      See Reverse for Instructions

24ET 102 E200 0090 0002

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

Article Sent To: \_\_\_\_\_

|   |          |
|---|----------|
| Postage   | \$ _____ |
| Certified Fee _____                                     |          |
| Return Receipt Fee<br>(Endorsement Required) _____      |          |
| Restricted Delivery Fee<br>(Endorsement Required) _____ |          |
| Total Postage & Fees \$ <u>3.95</u>                     |          |

*CLEARFIELD PA 16830*  
*MAR 20 2001*  
*Postmark*  
*USPS*

Name (Please Print Clearly) (to be completed by mailer)  
**CONNIE L. BERG**  
Street, Apt. No., or PO Box No.  
**501 1/2 WALTON STREET**  
City, State, ZIP+4  
**PHILIPSBURG, PA 16866**

PS Form 3800, July 1999      See Reverse for Instructions

CC



CHESTER A. HAWKINS  
SHERIFF

1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830

**CERTIFIED MAIL**

TO THE RIGHT OF RETURN ADDRESS  
PRINT OR TYPE HERE



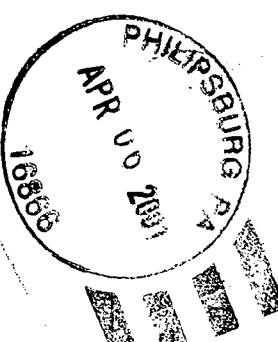
7000 0600 0023 2701 1328

CONNIE L. BERG  
501 1/2 WALTON STREET  
PHILIPSBURG, PA 16866

**RTS**

INSUFFICIENT ADDRESS  
 ATTEMPTED NOT KNOWN  
 NO SUCH NUMBER/STREET  
 NOT DELIVERABLE AS ADDRESSED  
 UNABLE TO FORWARD

A  
 C  
 S



Hold  
Unclaimed

3-21

**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:

MICHAEL A. BERG  
1610 NORTH DUBLIN ROAD  
MIDLAND, MI 48642

**COMPLETE THIS SECTION ON DELIVERY**

|  |                     |
|--|---------------------|
| A. Received by (Please Print Clearly)  | B. Date of Delivery |
| <i>Connie Berg</i>   | 3-23-01             |
| C. Signature   |                     |
| <i>Connie Berg</i>   |                     |
| D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No |                     |
| If YES, enter delivery address below   |                     |

MIDLAND  
MAR  
23  
2001

|   |
|---|
| 3. Service Type   |
| <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail    |
| <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.                       |
| 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes                            |

2. Article Number (Copy from service label)

7000 0600 0023 2701 1342

EX-10790

**FEDERMAN AND PHELAN, L.L.P.**  
**One Penn Center at Suburban Station**  
**1617 John F. Kennedy**  
**Suite 1400**  
**Philadelphia, PA 19103-1814**  
**215-563-7000**  
**Main Fax 215-563-5534**  
**Greg.Wilkins@fedphe-pa.com**

Gregory Wilkins  
Legal Assistant, Ext. 1256

Representing Lenders in  
Pennsylvania and New Jersey

May 10, 2001

Office of the Sheriff  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

ATTENTION: PEGGY (814) 765-5915

Re: **CONTIMORTGAGE CORPORATION**  
v. **MICHAEL A. BERG and CONNIE L. BERG**  
No. 00-1481-CD  
Premises: 395 COAL STREET, OSCEOLA MILLS, PA 16666

Dear Peggy:

Please postpone the Sheriff's Sale of the above referenced property, which is  
scheduled for JUNE 1, 2001.

The postponement is necessary because the Defendant(s) could not be served with  
the Notice of Sheriff's Sale. An Order to post is being obtained to effectuate service.

T

The property is to be re-listed for the JULY 6, 2001 Sheriff's Sale.

Very truly yours,

*Gregory Wilkins*  
Gregory Wilkins

cc: **FAIRBANKS CAPITAL CORPORATION**  
Attention  
File No. 205705736

*COPY*

**FEDERMAN AND PHELAN, L.L.P.**  
**One Penn Center at Suburban Station**  
**1617 John F. Kennedy**  
**Suite 1400**  
**Philadelphia, PA 19103-1814**  
**215-563-7000**  
**Main Fax 215-563-5534**  
**Greg.Wilkins@fedphe-pa.com**

Gregory Wilkins  
Legal Assistant, Ext. 1256

Representing Lenders in  
Pennsylvania and New Jersey

July 6, 2001

Office of the Sheriff  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

ATTENTION: PEGGY (814) 765-5915

Re: **CONTIMORTGAGE CORPORATION**  
**v. MICHAEL A. BERG and CONNIE L. BERG**  
**No. 00-1481-CD**  
**Premises: 395 COAL STREET, OSCEOLA MILLS, PA 16666**

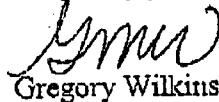
Dear Peggy:

Please STAY the Sheriff's Sale of the above referenced property, which is scheduled for JULY 6, 2001.

Per our client, Fairbanks Capital Corp., the above stated loan is being charged off.

Please return the original writ of execution to the Prothonotary as soon as possible.

Very truly yours,

  
Gregory Wilkins

cc: **FAIRBANKS CAPITAL CORPORATION**  
File No. 205705736

**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                    | 10.40            |
| LEVY                       | 15.00            |
| MILEAGE                    | 10.40            |
| POSTING                    | 15.00            |
| CSDS                       | 10.00            |
| COMMISSION 2%              |                  |
| POSTAGE                    | 7.90 + 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              |                  |
| ADD'L LEVY                 |                  |
| BID AMOUNT                 |                  |
| RETURNS/DEPUTIZE           |                  |
| COPIES                     | 10.00            |
| BILLING                    |                  |
| <b>TOTAL SHERIFF COSTS</b> | <b>\$ 182.78</b> |

DEED COSTS:

|                         |           |
|-------------------------|-----------|
| REGISTER & RECORDER     | \$ 15.50  |
| ACKNOWLEDGEMENT         | **** 5.00 |
| TRANSFER TAX 2%         |           |
| <b>TOTAL DEED COSTS</b> | <b>\$</b> |

DEBT & INTEREST:

|  |                     |
|--|---------------------|
| DEBT-AMOUNT DUE                          | \$ 51,689.33        |
| INTEREST FROM 2-22-01 (PER DIEM (\$8.49) | 611.28              |
| <b>TOTAL DEBT &amp; INTEREST</b>         | <b>\$ 52,300.61</b> |

COSTS:

|                           |                  |
|---------------------------|------------------|
| ATTORNEY FEES             | \$               |
| PROTH. SATISFACTION       | 215.22           |
| ADVERTISING               |                  |
| LATE CHARGES & FEES       |                  |
| TAXES-Collector           |                  |
| TAXES-Tax Claim           |                  |
| COSTS OF SUIT-To Be Added |                  |
| LIST OF LIENS             |                  |
| MORTGAGE SEARCH           | 140.00           |
| ACKNOWLEDGEMENT           |                  |
| DEED COSTS                |                  |
| ATTORNEY COMMISSION       | 182.78           |
| SHERIFF COSTS             | 72.00            |
| LEGAL JOURNAL AD          |                  |
| REFUND OF ADVANCE         |                  |
| REFUND OF SURCHARGE       |                  |
| PROTHONOTARY              |                  |
| BANKRUPTCY CLAIM          | \$ 120.00        |
|                           | <b>24,041.79</b> |
| <b>TOTAL COSTS</b>        | <b>\$ 730.00</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**

## AFFIDAVIT OF SERVICE

PLAINTIFF

CONTI MORTGAGE CORPORATION

CLEARFIELD COUNTY

ACCT. #162922

FILED

MAR 09 2004

DEFENDANT

MICHAEL A. BERG  
CONNIE L. BERGCOURT NO.: 00-1481-CDWilliam A. Shaw  
Prothonotary/Clerk of CourtsSERVE CONNIE L. BERG AT:  
116 HOLOW STREET  
KERSEY, PA 15846TYPE OF ACTION  
XX Notice of Sheriff's Sale  
SALE DATE: MARCH 5, 2004MICHAEL LEGRERSKY SERVED

Served and made known to Connie L. Berg, Defendant on the 23 day of Feb, 200 4, at 12:30,  
 o'clock P. M., at 116 Hollow Rd, Kersey, Commonwealth of Pennsylvania, in the manner  
 described below:

Defendant personally served.

Adult family member with whom Defendant(s) reside(s).

Relationship is HUSBAND - MICHAEL LEGRERSKY

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

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

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

an officer of said Defendant's company.

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

Description: Age 54 Height 5'4" Weight 140 Race W Sex M Other \_\_\_\_\_

I, MARK CUNNINGHAM, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
 before me this 01 day  
 of March, 2004.

Notary Public  
 COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
 Joanne G. Rupprecht, Notary Public  
 City of St. Mary's, Elk County  
 My Commission Expires Sept. 1, 2007

NOT SERVED

Moved    Unknown    No Answer    Vacant

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

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

Notary:

ATTORNEY FOR PLAINTIFF  
 FRANK FEDERMAN, ESQUIRE  
 I.D.#12248  
 One Penn Center at Suburban Station  
 1617 John F. Kennedy Blvd., Suite 1400  
 Philadelphia, PA 19103-1814  
 (215) 563-7000

AFFIDAVIT OF SERVICE  
CLEARFIELD COUNTY

PLAINTIFF  
CONTI MORTGAGE CORPORATION

ACCT. #162922

DEFENDANT  
MICHAEL A. BERG  
CONNIE L. BERG

COURT NO.: 00-1481-CD

SERVE MICHAEL A. BERG AT:  
1610 NORTH DUBLIN ROAD  
MIDLAND, MI 48642

TYPE OF ACTION  
XX Notice of Sheriff's Sale  
SALE DATE: MARCH 5, 2004

SERVED

Served and made known to Michael Berg, Defendant on the 25 day of February, 2004, at 5:19, o'clock P.M., at 1610 N. Dublin Rd. Midland, MI 48642, Commonwealth of Pennsylvania, in the manner described below:

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

Description: Age 45 Height 5'9 Weight 180 Race W Sex F Other \_\_\_\_\_

I, Victoria VanOchten, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this 26<sup>th</sup> day  
of February, 2004.

Notary Jenny Lynn Cook By: Victoria VanOchten

Donna Berg

X Donna Berg

NOT SERVED

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

Moved  Unknown  No Answer  Vacant

Other:

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

Notary:

ATTORNEY FOR PLAINTIFF  
FRANK FEDERMAN, ESQUIRE  
I.D.#12248  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

FILED  
M 11/12/2004  
MAR 09 2004  
KES

William A. Shaw  
Prothonotary/Clerk of Courts

SALE DATE: 3/5/04

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

CONTI MORTGAGE CORPORATION

No.: 00-1481-CD

vs.

MICHAEL A. BERG  
CONNIE L. BERG

FILED <sup>No CC</sup>  
m/10/55874  
FEB 11 2004 *EZB*

William A. Shaw  
Prothonotary/Clerk of Courts

**AFFIDAVIT PURSUANT TO RULE 3129.1  
AND RETURN OF SERVICE PURSUANT TO  
Pa. R.C.P. 405 OF NOTICE OF SALE**

Plaintiff in the above action sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at:

305 COAL STREET, OSCEOLA MILLS, PA 16666.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the attached Affidavit No. 2 (previously filed) and Supplemental Affidavit No. 2 on the date indicated, and a copy of the notice is attached as an Exhibit. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

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. Sec. 4904 relating to unsworn falsification to authorities.

*Frank Federman*  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

CONTI MORTGAGE CORPORATION

CLEARFIELD COUNTY

No.: 00-1481-CD

vs.

MICHAEL A. BERG  
CONNIE L. BERG

**AFFIDAVIT PURSUANT TO RULE 3129**  
**(Affidavit No. 2)**

CONTI MORTGAGE CORPORATION, Plaintiff in the above action, by its attorney, Frank Federman, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 305 COAL STREET, OSCEOLA MILLS, PA 16666:

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

| Name                              | Last Known Address (if address cannot be reasonably ascertained, please indicate) |
|-----------------------------------|---|
| MANUFACTURERS & TRADERS TRUST CO. | C/O FAIRBANK CAPITAL CORP.<br>3815 SW TEMPLE<br>SALT LAKE CITY, UT 84115          |

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

| Name                | Last Known Address (if address cannot be reasonable ascertained, please indicate) |
|---------------------|---|
| CITIFINANCIAL, INC. | 1342 S. ATHERTON STREET, SUITE 2<br>STATE COLLEGE, PA 16801                       |

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

Name \_\_\_\_\_

Last Known Address (if address cannot be reasonable ascertained, please indicate)

None.

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

Name \_\_\_\_\_

Last Known Address (if address cannot be reasonably ascertained, please indicate)

## Clearfield County Domestic Relations

Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

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

Name \_\_\_\_\_

Last Known Address (if address cannot be reasonably ascertained, please indicate)

Commonwealth of Pennsylvania  
Department of Welfare

PO Box 2675  
Harrisburg, PA 17105

**Tenant/Occupant**

305 COAL STREET  
OSCEOLA MILLS, PA. 16666

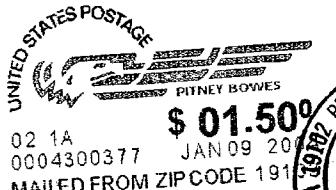
I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

November 4, 2003

Name and  
Address  
Of Sender

FEDERMAN AND PHELAN, LLP  
One Penn Center at Suburban Station Suite 1400  
Philadelphia, PA 19103-1814 Dan G. Trautz/SZB

| Line                                       | Article Number  | Name of Addressee, Street, and Post Office Address   | Postage   | Fee |
|--|-----------------|--|---|-----|
| 1  | MICHAEL A. BERG | Tenant/Occupant, 305 COAL STREET, OSCEOLA MILLS, PA 16666  |   |     |
| 2  | 162922          | Clearfield County Domestic Relations<br>Clearfield County Courthouse<br>230 East Market Street<br>Clearfield, PA 16830 |   |     |
| 3  |                 | Commonwealth of Pennsylvania<br>Department of Welfare<br>PO Box 2675<br>Harrisburg, PA 17105                           |   |     |
| 4  |                 | MANUFACTURERS & TRADERS TRUST CO.<br>CO FAIRBANK CAPITAL CORP.<br>3815 SW TEMPLE<br>SALT LAKE CITY, UT 84115           |   |     |
| 5  |                 | CTTIFINANCIAL, INC.<br>1342 S. AHERTON STREET, SUITE 2<br>STATE COLLEGE, PA 16801                                      |   |     |
| 6  |                 |  |   |     |
| 7  |                 |  |   |     |
| 8  |                 |  |   |     |
| 9  |                 |  |   |     |
| 10   |                 |  |   |     |
| 11   |                 |  |   |     |
| 12   |                 |  |   |     |
| 13   |                 |  |   |     |
| 14   |                 |  |   |     |
| 15   |                 |  |   |     |
| Total Number of<br>Pieces Listed By Sender |                 | Total Number of Pieces<br>Received at Post Office<br>Postmaster, Per (Name Of Receiving<br>Employee)                   | <br><br>The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000.00 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage. |     |

January 9, 2004

**CONTI MORTGAGE CORPORATION**

vs.

**MICHAEL A. BERG  
CONNIE L. BERG**

**TO: All parties in Interest and Claimants**

**NOTICE OF SHERIFF'S SALE  
OF REAL PROPERTY**

**OWNER(S): MICHAEL A. BERG and CONNIE L. BERG**

**PROPERTY: 305 COAL STREET, OSCEOLA MILLS, PA 16666**

Improvements: Residential dwelling

Judgment Amount: **\$51,689.33**

**CLEARFIELD COUNTY  
No. 00-1481-CD**

The above captioned property is scheduled to be sold at the Clearfield County Sheriff's Sale on Friday, March 5, 2004, at the Clearfield County Courthouse, 1 North 2<sup>nd</sup> Street, Suite 116, Clearfield, PA 16830 at 10:00 A.M..

Our records indicate that you may hold a mortgage, judgment, or other interest on the property, which may be extinguished by the sale. You may wish to attend the sale to protect your interests. If you have any questions regarding the type of lien or the effect of the Sheriff's Sale upon your lien, we urge you to **CONTACT YOUR OWN ATTORNEY**, as we are not permitted to give you legal advice.

The Sheriff will file a schedule of Distribution on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ATTORNEY FOR PLAINTIFF  
ONE PENN CENTER AT SUBURBAN STATION  
1617 JOHN F. KENNEDY BOULEVARD, SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

**CONTI MORTGAGE CLEARFIELD COUNTY  
CORPORATION**  
**ONE CONTIPARK, 338 SOUTH COURT OF COMMON PLEAS  
WARMINSTER ROAD CIVIL DIVISION** **FILED**  
**HATBORO, PA 19040-3430**  
v.  
**NO.: 00-1481-CD** **JUN 10 2004**  
**MICHAEL A. BERG**  
**CONNIE L. BERG**  
**305 COAL STREET**  
**OSCEOLA MILLS, PA 16666**

William A. Shaw  
Prothonotary/Clerk of Courts

**PRAECIPE TO MARK JUDGMENT TO USE PLAINTIFF**

TO THE PROTHONOTARY:

Please mark the judgment in the above captioned matter to the use of  
**Christiana Bank & Trust Co, As Owner Trustee of the Security National Funding  
Trust.**

  
\_\_\_\_\_  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

Date: June 9, 2004

**ENTRY OF APPEARANCE**

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of **Christiana Bank & Trust Co,  
As Owner Trustee of the Security National Funding Trust, USE PLAINTIFF.**

  
\_\_\_\_\_  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

Date: June 9, 2004

o 46

FILED May 15, 2004  
1:56 PM  
JUN 10 2004  
No cc

William A. Shaw  
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 15003

CONTI MORTGAGE CORPORATION

00-1481-CD

VS.

BERG, MICHAEL A.

WRIT OF EXECUTION      REAL ESTATE

**SHERIFF RETURNS**

---

NOW, JANUARY 23, 2004 @ 10:20 A.M. O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANTS. THE PROPERTY WAS ALSO POSTED THIS DATE AND TIME.

A SALE DATE OF MARCH 5, 2004 WAS SET.

DEPUTIES WERE UNABLE TO SERVE MICHAEL A. BERG, DEFENDANT AND CONNIE L. BERG, DEFENDANT THE HOUSE WAS EMPTY.

JANUARY 26, 2004 INFORMED ATTORNEY DEFENDNATS MOVED NO FORWARDING ADDRESS.

RECEIVED AFFIDAVITS OF SERVICE THE ATTOREY HAD CONNIE L. BERG, DEFENDANT PERSONALLY SERVED BY A PROCESS SERVER, AT HER RESIDENCE 116 HOLLOW ROAD, KERSEY BY HANDING A NOTICE OF SALE TO MICHAEL LEGERSKY, HUSBAND OF THE DEFENANT ON FEBURARY 23, 2004 @ 12:30 P.M. O'CLOCK.

RECEIVED AFFIDAVITS OF SERVICE THE ATTORNEY HAD MICHAEL A. BERG, DEFENDANT PERSONALLY SERVED BY A PROCESS SERVER, AT HIS RESIDENCE, 6612 N. DUBLIN ROAD, MIDLAND, MI BY HANDING THE NOTICE OF SALE TO DONNA BERG, WIFE OF THE DEFENDANTON FEBRUARY 25, 2004 @ 5:19 P.M. O'CLOCK.

NOW, MARCH 3, 2004 RECEIVED A FAX LETTER FROM PLAINTF,S ATTORNEY TO CONTINUE THE SHERIFF'S SALE TO JUNE 4, 2004.

NOW, MARCH 17, 2004 SERVED CONNIE L. BERG BY REGULAR AND CERTIFIED MAIL AT 116 HOLLOW ROAD,KERSEY, PA 15846, SIGNED FOR BY MICHAEL L. LEGERSKY WITH NOTICE OF SALE, WRIT OF EXECUTION, AND COPY OF THE LEVY. CERTIFIED #70023150000078545306

FILED  
03:53PM  
AUG 10 2004

William A. Shaw  
Prothonotary/Clerk of Courts

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

Sheriff Docket # 15003

**CONTI MORTGAGE CORPORATION**

**00-1481-CD**

**VS.**

**BERG, MICHAEL A.**

**WRIT OF EXECUTION      REAL ESTATE**

**SHERIFF RETURNS**

---

**NOW, MARCH 17, 2004 SERVED MICHAEL A. BERG BY REGULAR AND CERTIFIED  
MAIL AT 6612 NORTH DUBLIN ROAD, MIDLAND, MI 48642 SIGNED FOR BY  
MICHAEL BERG, DEFENDANT, WITH NOTICE OF SALE, WRIT OF EXECUTION AND  
COPY OF THE LEVY. CERTIFIED #7002315000078545290**

**NOW, JUNE 4, 2004 A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANTS.  
THE PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR \$1.00 + COSTS.**

**NOW, AUGUST 10, 2004 PAID THE COSTS FROM THE ADVANCE AND MADE A  
REFUND O F THE UNUSED ADVANCE TO THE ATTORNEY.**

**NOW, AUGUST 10, 2004 RETURN WRIT AS A SALE BEING HELD ON THE PROPERTY  
OF THE DEFENDANTS. THE PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR  
\$1.00 + COSTS.**

**NOW, AUGUST 10, 2004 A DEED WAS FILED.**

**SHERIFF HAWKINS      \$245.34  
SURCHARGE                \$40.00  
PAID BY ATTORNEY**

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

Sheriff Docket # 15003

CONTI MORTGAGE CORPORATION

00-1481-CD

VS.

BERG, MICHAEL A.

WRIT OF EXECUTION      REAL ESTATE

**SHERIFF RETURNS**

---

Sworn to Before Me This

So Answers,

10<sup>th</sup> Day Of August 2004  
William A. Shaw

WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

Chester Hawkins  
By Cynthia Butler-Aughenbaugh  
Chester A. Hawkins  
Sheriff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)  
Pa.R.C.P. 3180 to 3183 and Rule 3257

---

CONTI MORTGAGE CORPORATION

---

vs.

---

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO.: 00-1481-CD

---

MICHAEL A. BERG  
CONNIE L. BERG

---

WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

Premises: **305 COAL STREET, OSCEOLA MILLS, PA 16666**

(See legal description attached.)

|  |                                  |
|--|----------------------------------|
| Amount Due   | <u>\$51,689.33</u>               |
| Interest from 2/21/01 to<br>Date of Sale (\$8.50 per diem) | \$ _____                         |
| Total  | \$ _____ Plus costs as endorsed. |

*140.00 Prothonotary costs*  
*Willie Shaffer, Jr.*

Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

Dated November 6, 2003  
(SEAL)

By:

**Deputy**

SZB

Received November 7, 2003 @ 9:30 A.M.

Chester A. Haeflins  
by Cynthia Butter-Aughenbaugh

No. 00-1481-CD

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

CONTI MORTGAGE CORPORATION

vs.

MICHAEL A. BERG  
CONNIE L. BERG

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

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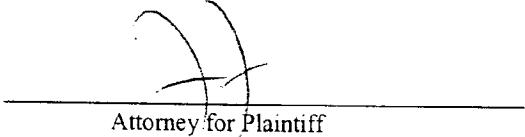
Real Debt \$51,689.33

Int. from 2/21/01  
to Date of Sale (\$8.50 per diem) \_\_\_\_\_

Costs \_\_\_\_\_

Prothy. Pd. 140.00

Sheriff \_\_\_\_\_

  
\_\_\_\_\_  
Attorney for Plaintiff

Address: 305 COAL STREET, OSCEOLA MILLS, PA 16666  
305 COAL STREET, OSCEOLA MILLS, PA 16666  
Where papers may be served.

Frank Federman, Esquire  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

ALL THAT CERTAIN lot or tract of land situate in the Borough of Osceola, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on Coal Street eighty-three (83) feet Northwesterly from a post at the Southwest corner of Coal and Stone Streets and running in a Southwesterly Direction along line of lot of Justin Pie fifty (50) feet to line of lot now or formerly belonging to William Quigley; thence in a Northwesterly direction and on line parallel with Coal Street sixty-seven (67) feet to a point; thence in a Northeasterly direction on a line parallel with Stone Street to Coal Street; thence in a Southeasterly direction along Coal Street sixty-seven (67) feet to a point, the place of beginning. Being part of a larger lot of ground known as Lot No. 233 in the general plan of Osceola Borough.

Tax Parcel #013-379-00065

TITLE TO SAID PREMISES IS VESTED IN Michael A. Berg and Connie L. Berg, husband and wife by Deed from Alberta V. Cowfer, a widow dated 10/1/85, recorded 10/24/85, in Deed Book 1047, page 349.

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME      BERG      NO.      00-1481-CD

NOW,      June 4, 2004      , 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 for the date, time and place of sale at the Court House in Clearfield on the      4TH      day of      JUNE      2004, I exposed the within described real estate of      MICHAEL A. BERG AND CONNIE L. BERG      to public venue or outcry at which time and place I sold the same to      CONTI MORTGAGE CORPORATION      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                    | 14.40         |
| LEVY                       | 15.00         |
| MILEAGE                    | 14.40         |
| POSTING                    | 15.00         |
| CSDS                       | 10.00         |
| COMMISSION 2%              |               |
| POSTAGE                    | 15.54         |
| HANDBILLS                  | 15.00         |
| DISTRIBUTION               | 25.00         |
| ADVERTISING                | 15.00         |
| ADD'L SERVICE              | 15.00         |
| DEED                       | 30.00         |
| ADD'L POSTING              |               |
| ADD'L MILEAGE              |               |
| ADD'L LEVY                 |               |
| BID AMOUNT                 | 1.00          |
| RETURNS/DEPUTIZE           |               |
| COPIES/BILLING             | 15.00         |
|                            | 5.00          |
| BILLING/PHONE/FAX          | 10.00         |
| <b>TOTAL SHERIFF COSTS</b> | <b>245.34</b> |
| <b>DEED COSTS:</b>         |               |
| ACKNOWLEDGEMENT            | 5.00          |
| REGISTER & RECORDER        | 28.50         |
| TRANSFER TAX 2%            |               |
| <b>TOTAL DEED COSTS</b>    | <b>28.50</b>  |

**PLAINTIFF COSTS, DEBT & INTEREST:**

|                                  |                  |
|----------------------------------|------------------|
| DEBT-AMOUNT DUE                  | 51,689.33        |
| INTEREST 2/21/01                 |                  |
| TO BE ADDED      TO SALE DATE    |                  |
| ATTORNEY FEES                    |                  |
| PROTH. SATISFACTION              |                  |
| LATE CHARGES & FEES              |                  |
| COST OF SUIT -TO BE ADDED        |                  |
| FORECLOSURE FEES/ESCROW DEFICIT  |                  |
| ATTORNEY COMMISSION              |                  |
| REFUND OF ADVANCE                |                  |
| REFUND OF SURCHARGE              |                  |
| SATISFACTION FEE                 |                  |
| ESCROW DEFICIENCY                |                  |
| <b>TOTAL DEBT &amp; INTEREST</b> | <b>51,689.33</b> |
| <b>COSTS:</b>                    |                  |
| ADVERTISING                      | 308.88           |
| TAXES - collector      TO 1/05   | 224.07           |
| TAXES - tax claim      NONE      |                  |
| DUE                              |                  |
| LIEN SEARCH                      | 100.00           |
| ACKNOWLEDGEMENT                  | 5.00             |
| DEED COSTS                       | 29.50            |
| SHERIFF COSTS                    | 245.34           |
| LEGAL JOURNAL AD                 | 144.00           |
| PROTHONOTARY                     | 140.00           |
| MORTGAGE SEARCH                  | 40.00            |
| MUNICIPAL LIEN                   | 329.42           |
| <b>TOTAL COSTS</b>               | <b>1,566.21</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.

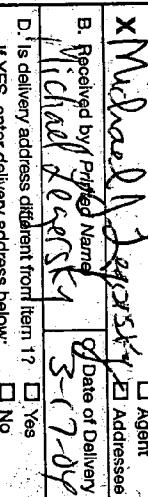
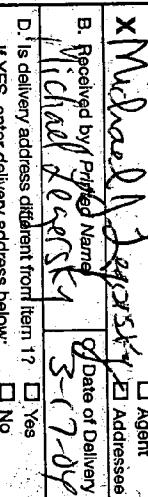
CHESTER A. HAWKINS, Sheriff

**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:**

Connie L. Berg  
116 Hollow Road  
Kerssey, PA 15846

|  |                              |
|--|------------------------------|
| <b>A. Signature</b>  |                              |
|                  |                              |
| <input type="checkbox"/> Agent   |                              |
| <input type="checkbox"/> Addressee   |                              |
| <b>B. Received by</b>  |                              |
| Printed Name<br> | Date of Delivery<br>03-17-04 |
| <b>D. Is delivery address different from item 1?</b>   |                              |
| <input type="checkbox"/> Yes   |                              |
| <input type="checkbox"/> No  |                              |

If YES, enter delivery address below:

**3. Service Type**

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

**4. Restricted Delivery? (Extra Fee)**

- Yes
- No

**2. Article Number**

7002 3150 0000 7854 5306

(Transfer from service label) 11111

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-MA1540

|  |         |
|--|---------|
| <b>U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT</b>  |         |
| (Domestic Mail Only; No Insurance Coverage Provided)   |         |
| For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a> |         |
| <b>OFFICIAL USE</b>  |         |
| Postage  | \$ .60  |
| Certified Fee  |         |
| Return Receipt Fee<br>(Endorsement Required)   |         |
| Restricted Delivery Fee<br>(Endorsement Required)  |         |
| Total Postage & Fees   | \$ 4.65 |

Sent to Connie L. Berg

Street, Apt. No.,

or PO Box No.,

116 Hollow Road

City, State, Zip+4,

Kerssey, PA 15846

See Reverse for Instructions



|   |         |      |      |
|---|---------|------|------|
| 2002  | 0000    | 7854 | 5306 |
| Postage   | \$ .60  |      |      |
| Certified Fee                                     |         |      |      |
| Return Receipt Fee<br>(Endorsement Required)      |         |      |      |
| Restricted Delivery Fee<br>(Endorsement Required) |         |      |      |
| Total Postage & Fees                              | \$ 4.65 |      |      |

**U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

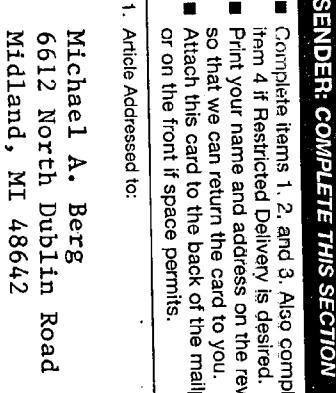
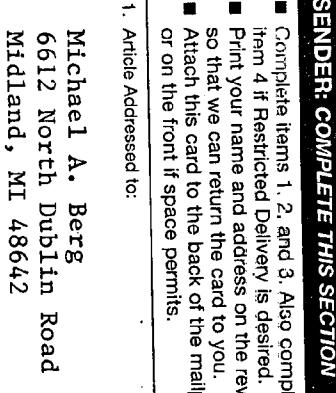
Sent to Michael A. Berg

Street, Apt. No.,  
or PO Box No., 6612 North Dublin Road

City, State, Zip+4, Midland, MI 48642

PS Form 3800, June 2002

See Reverse for Instructions

|   |                              |
|---|------------------------------|
| <b>SENDER: COMPLETE THIS SECTION</b>  |                              |
| <b>COMPLETE THIS SECTION ON DELIVERY</b>  |                              |
| <b>A. Signature</b>   |                              |
|                  |                              |
| <input type="checkbox"/> Agent  |                              |
| <input type="checkbox"/> Addressee  |                              |
| <b>B. Received by</b>   |                              |
| Printed Name<br> | Date of Delivery<br>03-17-04 |
| <b>C. Date of Delivery</b>  |                              |
| If YES, enter delivery address below:   |                              |
| <input type="checkbox"/> Yes  |                              |
| <input type="checkbox"/> No   |                              |

**1. Article Addressed to:**

Michael A. Berg  
6612 North Dublin Road  
Midland, MI 48642

**3. Service Type**

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

**4. Restricted Delivery? (Extra Fee)**

Yes

**2. Article Number**

7002 3150 0000 7854 5290

(Transfer from service label)

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-MA1540

|   |         |      |      |
|---|---------|------|------|
| 2002  | 0000    | 7854 | 5290 |
| Postage   | \$ .60  |      |      |
| Certified Fee                                     |         |      |      |
| Return Receipt Fee<br>(Endorsement Required)      |         |      |      |
| Restricted Delivery Fee<br>(Endorsement Required) |         |      |      |
| Total Postage & Fees                              | \$ 4.65 |      |      |

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Street, Apt. No.,  
or PO Box No., 6612 North Dublin Road

City, State, Zip+4, Midland, MI 48642

PS Form 3800, June 2002

See Reverse for Instructions

Law Offices  
**FEDERMAN AND PHELAN, LLP**  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
[Daniel.Trautz@fedphe-pa.com](mailto:Daniel.Trautz@fedphe-pa.com)

Dan G. Trautz  
Judgment Department, Ext. 1298

Representing Lenders in  
Pennsylvania and New Jersey

March 3, 2004

Office of the Sheriff  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

Re: **CONTI MORTGAGE CORPORATION v. MICHAEL A. BERG CONNIE L. BERG**  
No. 00-1481-CD  
305 COAL STREET, OSCEOLA MILLS, PA 16666

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which is scheduled for March 5, 2004.

The property is to be relisted for the June 4, 2004 Sheriff's Sale.

Very truly yours,

*DGT*

Dan G. Trautz

VIA TELECOPY (814) 765-5915

|     |  |  |
|-----|--|--|
| CC: | MICHAEL A. BERG<br>305 COAL STREET<br>OSCEOLA MILLS, PA<br>16666 | CONNIE L. BERG<br>305 COAL STREET<br>OSCEOLA MILLS, PA 16666 |
|-----|--|--|