

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

COURT OF COMMON PLEAS
CIVIL DIVISION

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

TERM

Plaintiff

NO. 00-1481-CD

v.

CLEARFIELD COUNTY

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

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

Loan #: 205705736

FILE

NOV 27 2000

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>
TOTAL	\$50,435.03

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 INMEDITAMENTE 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.

EXHIBIT A

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

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

Page 4
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 begun, **you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, plus any late or other charges then due, reasonable attorney's fees and costs connected with the foreclosure sale and any other costs connected with the Sheriff's Sale as specified in writing by the lender and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this Notice will restore your mortgage to the same position as if you had never defaulted.**

EXHIBIT A

Page 5
April 21, 2000
ContiMortgage Loan Number 0005705736

ERLIEST 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 THEN 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

Page 6
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, 2nd 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

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

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 17th 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

American Credit Counseling Institute

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

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

CLARION COUNTY

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: 11/21/00

FILED
Att'y pd
80.00
NOV 27 2000
William A. Shaw
Prothonotary
2 cc Att'y
Sheng

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.

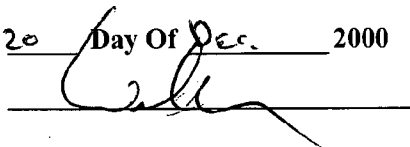
FILED

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
ONE PENN CENTER AT SUBURBAN STATION
1617 JOHN F. KENNEDY BOULEVARD
SUITE 1400
PHILADELPHIA, PA 19103-1814
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ATTORNEY FOR PLAINTIFF

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CIVIL DIVISION

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Plaintiff

v.

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CONNIE L. BERG
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OSCEOLA MILLS, PA 16666

Defendant(s)

NOV 27 2000

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NOTICE

Test: *W. P. ...*

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

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

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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>
TOTAL	\$50,435.03

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 INMEDITAMENTE 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

Page 3

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

Page 4
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

Page 5

April 21, 2000

ContiMortgage Loan Number 0005705736 .

ERLIEST 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 THEN 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

Page 6
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, 2nd 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

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 17th 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

American Credit Counseling Institute

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

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

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

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

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

CCCS of Northeastern PA
1631 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

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

Defendant(s)

FILED

FEB 20 2001

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

NO
FEB 20 2001

William A. Shaw
Prothonotary

cc
ECS

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.

: CLEARFIELD COUNTY

MICHAEL A. BERG
CONNIE L. BERG

: NO. 00-1481 CD

Defendant

TO: CONNIE L. BERG
502 ½ 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.

: CLEARFIELD COUNTY

MICHAEL A. BERG
CONNIE L. BERG

: 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

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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 ½ 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
:
:
:
:
:**

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, 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

:

:

:

:

COPY

Notice is given that a Judgment in the above captioned matter has been entered against you on
FEBRUARY 23, 2001.

By _____ DEPUTY

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

FRANK FEDERMAN, ESQUIRE

Attorney for Filing Party

One Penn Center at Suburban Station

Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

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

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

FEB 23 2001
M 13:47 City Edmen
William A. Shaw
Prothonotary
pd \$20.00

~~Ed~~ Not. to Dep.
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
:
: NO. 00-1481-CD

Plaintiff

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	\$ <u>\$611.28</u> and Costs
2/22/01 TO SALE	
(Per Diem - \$8.49)	\$ 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 Fedema

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

07/03/10th
William A. Shaw
Prothonotary

Edelman

PD \$20.00

Wurts Sherrill

ESB

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

COPY

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

Plaintiff

vs.

MICHAEL A. BERG
CONNIE L. BERG
305 COAL STREET

OSCEOLA MILLS, PA 16666

Defendant(s)

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

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 2/22/01 TO SALE (Per Diem - \$8.49)	\$ 611.28
Costs:	\$ 120.00
Total	\$ 52,420.61

William A. [Signature]

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 MAR 14 2001 William A. Shaw Notary
)	
Plaintiff) CIVIL DIVISION	
vs.)	
)	
MICHAEL A. BERG)	
CONNIE L. BERG)	
Defendant(s))	NO. 00-1481-CD

AMENDED
AFFIDAVIT PURSUANT TO RULE 3129.1

CONTIMORTGAGE CORPORATION, Plaintiff in the above action, sets forth as of the date the Praecipe 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	Address (if address cannot be reasonably ascertained, please so indicate)
------	---

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:

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

SAME AS ABOVE

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

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

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)
------	---

<u>CITIFINANCIAL, INC.</u>	<u>1342 S. ATHERTON STREET, SUITE 2</u> <u>STATE COLLEGE, PA 16801</u>
<u>BENEFICIAL MORTGAGE CO. OF PA</u>	<u>2642 CONSTITUTION BLVD.</u> <u>BEAVER FALLS, PA 15010-1276</u>
<u>BENEFICIAL MORTGAGE CO. OF PA</u>	<u>654 WEST MAIN STREET</u> <u>MT. PLEASANT, PA 15666-1815</u>
<u>BENEFICIAL MORTGAGE CO. OF PA</u>	<u>118 N CENTER STREET</u> <u>CORRY, PA 16407-1625</u>
<u>BENEFICIAL MORTGAGE CO. OF PA</u>	<u>419 STONEHEDGE DRIVE</u> <u>CARLISLE, PA 17013-9168</u>

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

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

<u>CLEARFIELD COUNTY DOMESTIC</u> <u>RELATIONS DEPARTMENT</u>	<u>CLEARFIELD COUNTY COURTHOUSE</u> <u>230 EAST MARKET STREET</u> <u>CLEARFIELD, PA 16830</u>
--	---

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:

Name

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

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, ESQ.
Attorney for Plaintiff

FILED

APR 14 2001
MAR 11 10 57 AM
cc
SHAW

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CONTIMORTGAGE CORPORATION

Plaintiff

vs.

MICHAEL A. BERG

CONNIE L. BERG

Defendant(s)

)
)
) CIVIL DIVISION
)
)
) NO. 00-1481-CD
)

FILED

APR 10 2001

William A. Shaw
Prothonotary

AMENDED
AFFIDAVIT PURSUANT TO RULE 3129.1

CONTIMORTGAGE CORPORATION, Plaintiff in the above action,
sets forth as of the date the Praecipe 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	Address (if address cannot be reasonably ascertained, please so indicate)
------	--

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:

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

SAME AS ABOVE

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

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

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:

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:

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

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:

Name

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

COMMONWEALTH OF PA
DEPT. OF WELFARE

P.O. BOX 2675
HARRISBURG, PA 17105

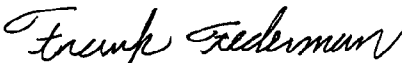
TENANT/OCCUPANT

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.

April 9, 2001
Date


FRANK FEDERMAN, ESQ.
Attorney for Plaintiff

FILED

MAY 03 2001

Michael C. McCarthy
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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

CONTIMORTGAGE CORPORATION

CLEARFIELD COUNTY

vs.

No.: 00-1481-CD

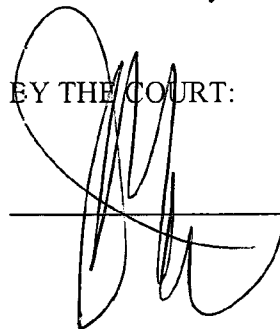
MICHAEL A. BERG
CONNIE L. BERG

ORDER

AND NOW, this 4th 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:



J.

FILED

MAY 04 2001
0/12:05/ by
William A. Shaw
Prothonotary

1 CENS TO ATTORNEY



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

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION

CONTIMORTGAGE CORPORATION

CLEARFIELD COUNTY

vs.

No.: 00-1481-CD

MICHAEL A. BERG
CONNIE L. BERG

**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."

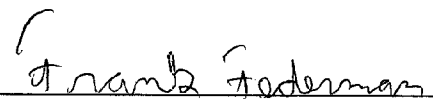
2. Pursuant to Pennsylvania Rule of Civil Procedure 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Good Faith Investigation setting forth the specific inquiries made and the result there from is attached hereto as Exhibit "B."

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
(Sent to App)


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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
CLEARFIELD COUNTY

CONTIMORTGAGE CORPORATION

No.: 00-1481-CD

vs.

MICHAEL A. BERG
CONNIE L. BERG

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).

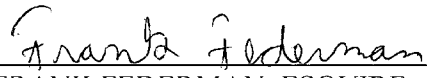
An illustration of good faith effort to locate the defendant includes (1) inquiries of postal authorities including inquiries pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, (2) inquiries of relatives neighbors, friends and employers of the Defendant and (3) examinations of local telephone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

TYPE OF ACTION

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

SERVE AT 305 COAL STREET

OSCEOLA MILLS, PA 16666

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 2/15 day of MARCH, 2001, at 8:46 o'clock
P. M., Defendant NOT FOUND because:

☐ Moved ☐ Unknown ☐ No Answer ☒ Vacant

Other: Observed (?) Posted Sheriff's Sale
NOTICES

Sworn to and subscribed
before me this 22ND day
of MARCH, 2001.

Notary:

By:

NOTARIAL SEAL
MONICA CRILLY, Notary Public
Allegheny, 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

EXHIBIT A

EXHIBIT A

EXHIBIT A



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) Continental Bank Corporation	CASE NO. GD 00-1481	DATE RECEIVED March 19, 2001
DEFENDANT(S) Michael A. Bell	Court of Common Pleas of Allegheny County	
SERVE AT 1510 North Dublin Road Midland, OH 44868	Type of Service Notice of Rent Debate Sale	
COMPANY CONTROL NO. 15847129A	REFERENCE NO.	SERVE BY April 11, 2001

Accepted By: _____
Served and made known to: Michael A. Bell

On the _____ day of _____, 20____, at _____ o'clock, _____

at _____
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 place 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 <u>1</u> day of <u>April</u> , <u>2001</u> at <u>8:30</u> o'clock, <u>P.M.</u>						
Defendant not found		Noted	Unknown	<input checked="" type="checkbox"/> No Ans	<input type="checkbox"/> Vacant	<input type="checkbox"/> Other

4 attempts, no answer
DEPUTIZED SERVICE

Now, this 19 day of March, 2001, I do hereby deputize the Sheriff of _____ County to serve this _____ and make return thereof and according to law.

By (Competent Adult) _____ County Sheriff's Check # _____
Special Instructions for _____
Please RUSH!!

NAME OF SERVER Process Server _____ being duly sworn according to law, deposes and says that he/she is process server herein names; 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 _____ 20____
Sheriff <input checked="" type="checkbox"/> Process Server / Competent Adult _____	
Law Firm _____ Attorney's Name _____ Address _____	ATTEST _____ Sale date _____ PRO PROTHY May 4, 2001

EXHIBIT A

EXHIBIT A

EXHIBIT A

AFFIDAVIT OF SERVICE - CLEARFIELD

PLAINTIFF CONTIMORTGAGE CORPORATION

COURT NO. 00-1481-CD

DEFENDANT MICHAEL A. BERG

CONNIE L. BERG

TYPE OF ACTION

☐ 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 22nd day of MARCH, 2001, at 7:23 o'clock
P. M., Defendant NOT FOUND because:

☐ Moved ☐ Unknown ☐ No Answer ☒ Vacant (814)

Other: For Sale Sign - REALTY WORLD 342-1664

Sworn to and subscribed
before me this 23rd day
of MARCH, 2001.

Notary: Norman C. Ciley

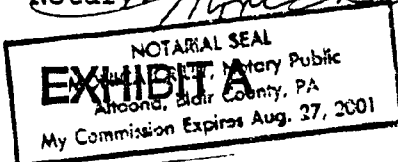


EXHIBIT A

FRANK FEDERMAN, ESQUIRE - I.D.#12248
One Penn Center - Suite 1400
Philadelphia, PA 19103
(215) 637-7000

EXHIBIT A

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

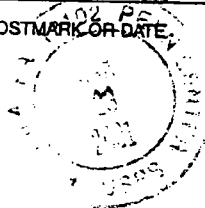
RETURN RECEIPT SERVICE	Postage	
	Certified Fee	2.65
	Return Receipt Fee	0.00
	Restricted Delivery	2.75
	Total Postage & Fees	6.94

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE



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

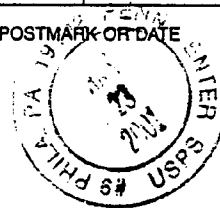
RETURN RECEIPT SERVICE	Postage	
	Certified Fee	2.65
	Return Receipt Fee	0.00
	Restricted Delivery	2.75
	Total Postage & Fees	6.94

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE



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

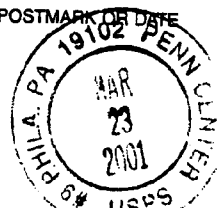
RETURN RECEIPT SERVICE	Postage	
	Certified Fee	2.65
	Return Receipt Fee	0.00
	Restricted Delivery	2.75
	Total Postage & Fees	6.94

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE



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

POSTMARK OR DATE

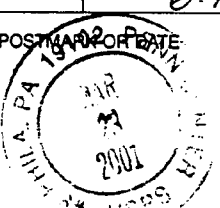


EXHIBIT A

EXHIBIT A

EXHIBIT A

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:

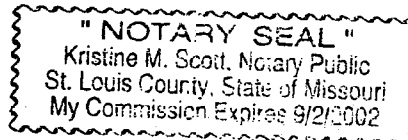
Michael 1954

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

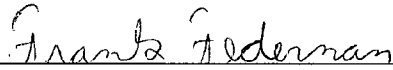
EXHIBIT B

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, 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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

CONTIMORTGAGE CORPORATION

CLEARFIELD COUNTY

vs.

No.: 00-1481-CD

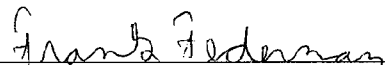
MICHAEL A. BERG
CONNIE L. BERG

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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

v.

NO.00-1481-CD

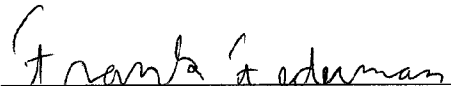
MICHAEL A. BERG
CONNIE L. BERG

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.


FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

FILED

APR 02 2001

William A. Shaw
Prothonotary

March 22, 2001

FILED

APR 02 2001

012:55) 110<C

William A. Shaw

Prothonotary

[Signature]

FILED

2

APR 09 2001

ma:3410<

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
PLAINTIFF

vs.

MICHAEL A. BERG
CONNIE L. BERG

DEFENDANT

:
: COURT OF COMMON PLEAS
:
: CLEARFIELD COUNTY
:
: No. 00-1481-CD

:
:
:

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

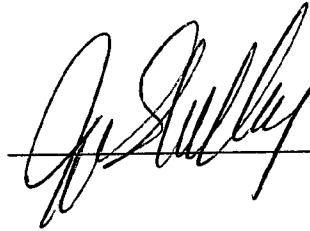
FILED

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.



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

SERVED

Served and made known to Connie L. Berg, Defendant on the 05th day of June, 2001, at 4:05 o'clock, P. M., at _____, County of Clearfield, Commonwealth of Pennsylvania, in the manner described below:

☐ Defendant personally served.☐ Adult family member with whom Defendant(s) reside(s).

Relationship is _____.

☐ Adult in charge of Defendant's residence who refused to give name/relationship.☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).☐ Agent or person in charge of Defendant's office or usual place of business.☐ _____ an officer of said defendant company.☒ Other: Posted property with notice.

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____
Other _____

I, Thomas P. Chatham a competent adult, being duly sworn according to law, depose and state that I personally ~~handed to~~ posted on 305 Coal St., Osceola Mills, Pa. 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: Monica Crilly

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

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: _____

FILED

JUN 14 2001

William A. Shaw
Prothonotary

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

FILED

JUN 14 2001

William A. Shaw

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

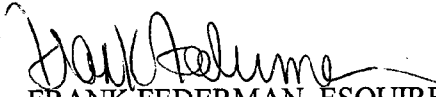
AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129

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

1713 38/mc

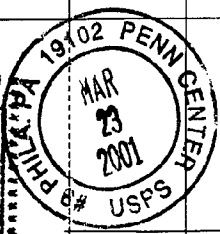
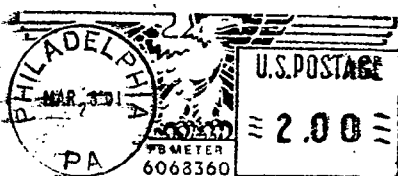
William A. Shaw
Prothonotary



Name and Address of Sender

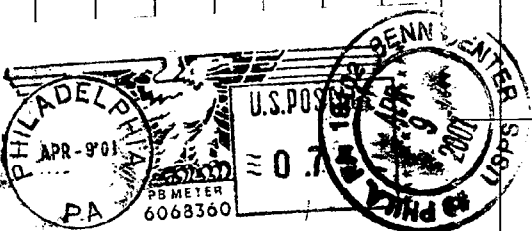
FEDERMAN & PHELAN
ONE PENN CENTER, SUBURBAN STATION, SUITE 1400
PHILADELPHIA, PA 19102

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	GMW	TENANT/OCCUPANT 395 COAL STREET OSCEOLA MILLS, PA 1666		
2		COMMONWEALTH OF PA DEPT OF WELFARE P.O. BOX 2675 HARRISBURG, PA 17105		
3		CLEARFIELD COUNTY DOMESTIC RELATIONS DEPARTMENT CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830		
4		CITIFINANCIAL, INC. 1342 S. ATHERTON STREET SUITE 2 STATE COLLEGE, PA 16801		
5		BENEFICIAL MORTGAGE CO. OF PA 2642 CONSTITUTION BLVD. BEAVER FALLS, PA 15010-1276		
6		BENEFICIAL MORTGAGE CO. OF PA 654 WEST MAIN STREET MT. PLEASANT, PA 15666-1815		
7		BENEFICIAL MORTGAGE CO. OF PA 118 N. CENTER STREET CORRY, PA 16407-1625		
8		BENEFICIAL MORTGAGE CO. OF PA 419 STONEHEDGE DRIVE CARLISLE, PA 17013-9168		
9				
10		MICHAEL A. BERG		
Total Number of 8 Pieces Listed by Sender		8	Postmaster, Per (Name of Receiving 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 ****	MANUFACTURERS & TRADERS TRUST CO. C/O FAIRBANKS CAPITAL CORP., 3815 SW TEMPLE SALT LAKE CITY, UT 84415		
2	****			
3	****			
4	****			
5				
6	****			
7	****			
8	****			
9	****			
10	****			
11	****			
12	****			
13	****			
14				
15		RE: BERG, M		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	
1			GMW	



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	POSTMARK OR DATE
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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	POSTMARK OR DATE
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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	POSTMARK OR DATE
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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	POSTMARK OR DATE
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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.

CLEARFIELD COUNTY
COURT OF COMMON PLEAS
CIVIL DIVISION

MICHAEL A. BERG
CONNIE L. BERG

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:

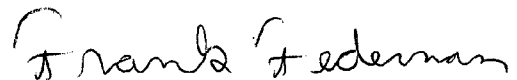
502 1/2 WALTON STREET, PHILIPSBURG, PA 16866

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, ESQUIRE
ATTORNEY FOR PLAINTIFF

DATE: June 28, 2001

FILED

JUL 02 2001
13:57 NOC
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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

CONTIMORTGAGE CORPORATION

CLEARFIELD COUNTY

vs.

No.: 00-1481-CD

MICHAEL A. BERG
CONNIE L. BERG

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

ORDER

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

AND NOW, this 4th 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 L. Shaw
Prothonotary

7106 4575 1294 3598 1216

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

SENDER: GMW

REFERENCE: MICHAEL BERG

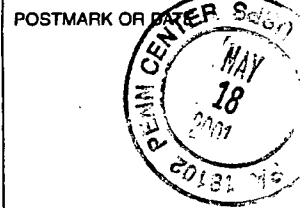
PS Form 3800, June 2000

RETURN RECEIPT 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

Receipt for Certified Mail

No Insurance Coverage Provided
Do Not Use for International Mail



7106 4575 1294 3598 1230

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	.34
	Certified Fee	2.90
	Return Receipt Fee	0.00
	Restricted Delivery	3.20
	Total Postage & Fees	715 6.44

US Postal Service

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 RECEIPT 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

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

CLEARFIELD COUNTY
COURT OF COMMON PLEAS
CIVIL DIVISION

v.

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

10:21 AM No CC
Copy to DA

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

\$51,689.33

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

PRAECIPE 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
m/2:22:01
NOV 06 2003

William A. Shaw
Prothonotary/Clerk of Courts

ICC a/c writs w/ prop. descr. attached

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

CLEARFIELD COUNTY

CONTI MORTGAGE CORPORATION

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 Praecipe 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
OSCEOLA MILLS, PA 16666

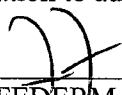
CONNIE L. BERG

305 COAL STREET
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

NTI 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 Praecept 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. 3815 SW TEMPLE 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 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)

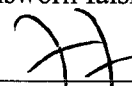
Commonwealth of Pennsylvania
Department of Welfare

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 BEDERMAN, 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.

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

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

NO.: 00-1481-CD

**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

\$51,689.33

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

\$ _____

Total

\$ _____ Plus costs as endorsed.

140.00 Prothonotary costs

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)**

Real Debt	<u>\$51,689.33</u>
Int. from 2/21/01 to Date of Sale (\$8.50 per diem)	_____
Costs	_____
Prothy. Pd.	<u>140.00</u>
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.

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

vs.

MICHAEL A. BERG
CONNIE L. BERG
305 COAL STREET
OSCEOLA MILLS, PA 16666
Defendant(s)

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

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 2/22/01 TO SALE (Per Diem - \$8.49)	\$ <u>611.28</u>
Costs:	\$ <u>120.00</u>
Total	\$ 52,420.61

RECEIVED MAR 2 2001

@ 11:55 AM
Chester A. Hankins
by Margaret H. Pitt

Dated: 3/1/01
(Seal)


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

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

Sworn to Before Me This

20th Day Of July 2001
William A. Shaw

So Answers,

Chester A. Hawkins
by Margaret H. Pitt
Chester A. Hawkins

Sheriff

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

7000 0600 0023 2701 1342

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

Article Sent To:

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

Postmark: CLEARFIELD PA 16830 MAR 20 2001 USPS

Name (Please Print Clearly) (to be completed by mailer)
MICHAEL A. BERG
 Street, Apt. No., or PO Box No.
1610 NORTH DUBLIN ROAD
 City, State, ZIP+4
MIDLAND, MI 48642

PS Form 3800, July 1999 See Reverse for Instructions

7000 0600 0023 2701 1328

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

Article Sent To:

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

Postmark: CLEARFIELD PA 16830 MAR 20 2001 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

COPY

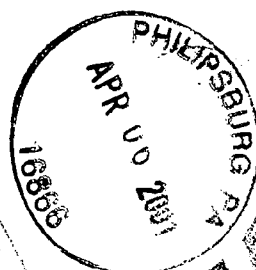


CHESTER A. HAWKINS
SHERIFF
COURTHOUSE
1 NORTH SECOND STREET - SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

CERTIFIED MAIL



7000 0600 0023 2701 1342



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

RTS
RETURN TO SENDER

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

A
C
S

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)

Anna Delany

B. Date of Delivery

3-23-01

C. Signature

Anna Delany

☐ Agent
☐ Addressee

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

If YES, enter delivery address below



3. Service Type

☒ Certified Mail

☐ Registered

☐ Insured Mail

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label) 7000 0600 0023 2701 1342 EX-10790

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

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:

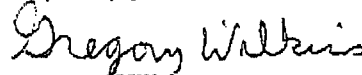
Please postpone the Sheriff's Sale of the above referenced property, which is scheduled for JUNE 1, 2001.

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

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 for 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		

TOTAL SHERIFF COSTS \$ 182.78

DEED COSTS:

REGISTER & RECORDER	\$	15.50
ACKNOWLEDGEMENT	****	5.00
TRANSFER TAX 2%		

TOTAL DEED COSTS \$

DEBT & INTEREST:

DEBT-AMOUNT DUE	\$	51,689.33
INTEREST FROM 2-22-01 (PER DIEM (\$8.49)		611.28

TOTAL DEBT & INTEREST \$ 52,300.61

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	\$	120.00
BANKRUPTCY CLAIM		24,041.79

TOTAL COSTS \$ 730.00

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

Chester A. Hawkins, Sheriff

COPY

AFFIDAVIT OF SERVICE

PLAINTIFF
CONTI MORTGAGE CORPORATION

CLEARFIELD COUNTY

ACCT. #162922

DEFENDANT
MICHAEL A. BERG
CONNIE L. BERG

COURT NO.: 00-1481-CD

SERVE CONNIE L. BERG AT:
116 HOLOW STREET
KERSEY, PA 15846

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

FILED

MAR 09 2004

William A. Shaw
Prothonotary/Clerk of Courts

MICHAEL LEGERSKY 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 St, 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 LEGERSKY
☐ 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 GLASSES, HEAVY MUSTACHE & TATTOOS ON ARMS

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: Joanne G. Rupprecht
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

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

AFFIDAVIT OF SERVICE

PLAINTIFF
CONTI MORTGAGE CORPORATION

CLEARFIELD COUNTY

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, 200 4, 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 26th day
of February, 2004.

Dona Berg

☒ Dona Berg

Notary: Jenny Lynn Cook By: Victoria VanOchten

Victoria VanOchten
process server

x Victoria VanOchten

JENNY LYNN COOK
Notary Public, Midland County, MI
My Comm. Expires Nov. 27, 2005

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 NO
MAR 11 11 28 AM '04
MAR 09 2004

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 No CC
m 10:55 AM
FEB 11 2004

William A. Shaw
Prothonotary/Clerk of Courts

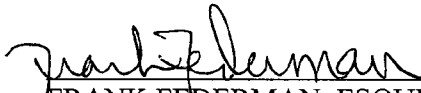
**AFFIDAVIT PURSUANT TO RULE 3129.1
AND RETURN OF SERVICE PURSUANT TO
Pa. R.C.P. 405 OF NOTICE OF SALE**

Plaintiff in the above action sets forth as of the date the Praecipe 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, ESQUIRE
Attorney for Plaintiff

CLEARFIELD COUNTY

CONTI MORTGAGE CORPORATION

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 Praeipe 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. 3315 SW TEMPLE 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 STATE COLLEGE, PA 16301
---------------------	---

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

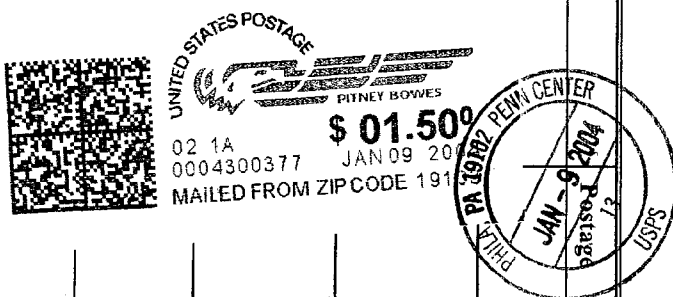
November 4, 2003

Name and Address Of Sender
 FEDERMAN AND PHELIAN, LLP
 One Penn Center at Suburban Station
 Philadelphia, PA 19103-1814
 Dan G. Trautz/SZB

Suite 1400

Line	Article Number	Name of Addressee, Street, and Post Office Address	Fee
1	MICHAEL A. BERG	Tenant/Occupant, 305 COAL STREET, OSCEOLA MILLS, PA 16666	
2	162922	Clearfield County Domestic Relations Clearfield County Courthouse 230 East Market Street Clearfield, PA 16830	
3		Commonwealth of Pennsylvania Department of Welfare PO Box 2675 Harrisburg, PA 17105	
4		MANUFACTURERS & TRADERS TRUST CO. C/O FAIRBANK CAPITAL CORP. 3815 SW TEMPLE SALT LAKE CITY, UT 84115	
5		CITIFINANCIAL, INC. 1342 S. AHERTON STREET, SUITE 2 STATE COLLEGE, PA 16801	
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
Total Number of Pieces Listed By Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name Of Receiving Employee)

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 2nd 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
HATBORO, PA 19040-3430

v.

NO.: 00-1481-CD

JUN 10 2004

William A. Shaw
Prothonotary/Clerk of Courts

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 & Trust Co, As Owner Trustee of the Security National Funding
Trust.**



FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

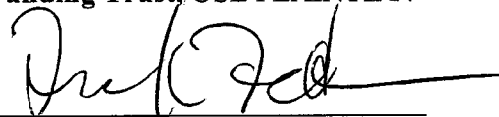
Date: June 9, 2004

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

FILED
JUN 11 15 2004
7.50
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, DEFENANT AND CONNIE L. BERG, DEFENANT 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 PLAINITF,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
013:5301
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 #70023150000078545290

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 OF 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.

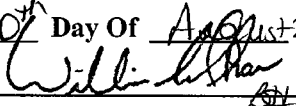
WRIT OF EXECUTION

REAL ESTATE

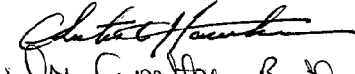
SHERIFF RETURNS

Sworn to Before Me This

So Answers,

10th Day Of August 2004

WILLIAM A. SHAW

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


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

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

vs.

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

\$51,689.33

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

\$ _____

Total

\$ _____ Plus costs as endorsed.

140.00 Prothonotary costs
William L. Hays

Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

Dated November 16, 2003
(SEAL)

By:

Deputy

SZB

Received November 7, 2003 @ 9:30 A.M.
Chester A. Haeffels
by Cynthia Butler-Aughenbaugh

No. 00-1481-CD

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

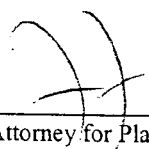
CONTI MORTGAGE CORPORATION

vs.

MICHAEL A. BERG
CONNIE L. BERG

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Real Debt	<u>\$51,689.33</u>
Int. from 2/21/01 to Date of Sale (\$8.50 per diem)	_____
Costs	_____
Prothy. Pd.	<u>140.00</u>
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

**TOTAL SHERIFF
COSTS 245.34**

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	28.50
TRANSFER TAX 2%	
TOTAL DEED COSTS 28.50	

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	

TOTAL DEBT & INTEREST 51,689.33

COSTS:

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

TOTAL COSTS 1,566.21

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
Kersey, PA 15846

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☐ Agent
Michael A. Berg ☒ Addressee
B. Received by *Printed Name* ☒ Return Receipt for Merchandise
Michael Berg *3-17-04*
C. Date of Delivery
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☒ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label) **7002 3150 0000 7854 5306**
PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

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
6612 North Dublin Road
Midland, MI 48642

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☐ Agent
Michael A. Berg ☒ Addressee
B. Received by *Printed Name* ☒ Return Receipt for Merchandise
Michael Berg *3-17-04*
C. Date of Delivery
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☒ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label) **7002 3150 0000 7854 5290**
PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

7002 3150 0000 7854 5306

U.S. Postal ServiceTM CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$ *1.60*

Certified Fee

Return Receipt Fee (Endorsement Required)

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees \$ *4.65*

MAILED 15 2004
CLEARFIELD PA 16830
USPS

Sent to *Connie L. Berg*
Street, Apt. No.: *116 Hollow Road*
or PO Box No. *Kersey, PA 15846*
City, State, ZIP+4
PS Form 3800, June 2002 See Reverse for Instructions

7002 3150 0000 7854 5290

U.S. Postal ServiceTM CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$ *1.60*

Certified Fee

Return Receipt Fee (Endorsement Required)

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees \$ *4.65*

MAILED 15 2004
CLEARFIELD PA 16830
USPS

Sent to *Michael A. Berg*
Street, Apt. No.: *6612 North Dublin Road*
or PO Box No. *Midland, MI 48642*
City, State, ZIP+4
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@fedphc-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

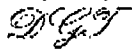
No. 00-1481-CD
305 COAL STREET, OSCEOLA MILLS, PA 16666

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,



Dan G. Trautz

VIA TELECOPY (814) 765-5915

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