

01-531-CD
NATIONAL CITY BANK OF -vs- VERNON L. SPENCER etux
PENNSYLVANIA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY BANK OF
PENNSYLVANIA

Plaintiff,

vs.

VERNON L. SPENCER a/k/a VERNON
LEE SPENCER and TAMMY L.
SPENCER, his wife,

Defendants.

CIVIL DIVISION

NO. 01-531-CD

COMPLAINT IN MORTGAGE
FORECLOSURE

Code -MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Counsel of record for this
party:

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

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

(412) 281-1725

FILED

APR 12 2001

William A. Shaw
Prothonotary

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

NATIONAL CITY BANK OF PENNSYLVANIA)
) No.
Plaintiff,)
vs.)
)
VERNON L. SPENCER a/k/a VERNON LEE SPENCER)
and TAMMY L. SPENCER, his wife,)
)
Defendant(s))

NOTICE PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT

Louis P. Vitti and Associates, P.C. is a law firm attempting to collect a debt for our client, Altegra Credit Company, and any information obtained will be used for that purpose.

Attached is a Complaint in Mortgage Foreclosure which sets forth the amount of a debt we are advised that you owe to Altegra Credit Company. We are attempting to collect this debt. Unless you dispute the validity of this debt or any portion of this debt, within thirty (30) days after receipt of this Notice, Louis P. Vitti and Associates, P.C. will assume this debt to be valid.

If you notify Louis P. Vitti and Associates, P.C. in writing within the thirty (30) day period that this debt or any portion of this debt is disputed, then Louis P. Vitti and Associates, P.C. will obtain verification of the debt and we will mail a copy of this verification to you. Please be sure to provide us with your correct mailing address.

If the creditor named in the attached Complaint is not the original creditor we will, upon your written request, provide you with the name and address of the original creditor.

If you dispute this debt (or any part of this debt) in writing or request the name of the original creditor in writing within thirty (30) days after you receive this Notice, Louis P. Vitti and Associates, P.C. will cease collection of the debt or any disputed portion of the debt until we have obtained the verification and/or name of the original creditor and have mailed that information to you.

COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY THE ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES AND OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

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

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

COMPLAINT IN MORTGAGE FORECLOSURE

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

1. The Plaintiff is a corporation duly authorized to conduct business within the laws of the Commonwealth of Pennsylvania, having a principal place of business located at c/o 150 Allegheny Center, Pittsburgh, PA 15212.

2. The Defendant(s) is/are individuals with a last known mailing address of 1072 Treasure Lake, DuBois, PA 15801. The property address is **RR 2, Box 176 Curwensville, PA 16833** and is the subject of this action.

3. On the 24th day of May, 1999, in consideration of a loan of Thirty Eight Thousand Three Hundred Two and 50/100 (\$38,302.50) Dollars made by National City Bank of PA, a PA corporation, to Defendant(s), the said Defendant(s) executed and delivered to National City Bank of PA, a PA corporation, a "Note" secured by a Mortgage with the Defendant(s) as mortgagor(s) and National City Bank of PA, as mortgagee, which mortgage was recorded on the 26th day of May, 1999, in the Office of the Recorder of Deeds of Clearfield County at Instrument no. 199908465. The said mortgage is incorporated herein by reference thereto as though the same were set forth fully at length.

4. The premises secured by the mortgage are:

SEE EXHIBIT "A" ATTACHED HERETO.

5. Said mortgage provides, inter alia:

"that when as soon as the principal debt secured shall become due and payable, or in case default shall be made in the payment of any installment of principal and interest, or any

monthly payment, keeping and performance by the mortgagor of any of the terms, conditions or covenants of the mortgage or note, it shall be lawful for mortgagee to bring an Action of Mortgage Foreclosure, or other proceedings upon the mortgage, of principal debt, interest and all other recoverable sums, together with attorney's fees."

6. Since August 5, 2000, the mortgage has been in default by reason, inter alia, of the failure of the mortgagor(s) to make payments provided for in the said mortgage (including principal and interest) and, under the terms of the mortgage, the entire principal sum is due and payable.

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

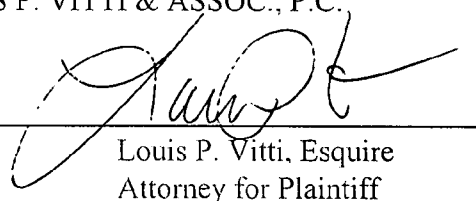
8. The amount due on said mortgage is itemized on the attached schedule.

9. Plaintiff does hereby release the personal representative, heir and/or devisee of the mortgagor(s) from liability for the debt secured by the mortgage.

WHEREFORE, pursuant to Pennsylvania Rule of Civil Procedure Number 1147(6), Plaintiff demands judgment for the amount due of Forty Four Thosuang Two Hundred Ninety Two and 01/100 Dollars (\$44,292.01) with interest and costs.

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

BY


Louis P. Vitti, Esquire
Attorney for Plaintiff

SPENCER, VERNON

SCHEDULE OF AMOUNTS DUE UNDER MORTGAGE

Unpaid Principal Balance	36,000.00
Interest 11.7400% from 07/05/00 through 04/30/2001 (Plus \$11.5792 per day after 04/30/2001)	3,462.17
Late charges through 04/10/2001 0 months @ 38.73 Accumulated beforehand (Plus \$38.73 on the 17th day of each month after 04/10/2001)	0.00 <u>0.00</u> 309.84
Attorney's fee	1,800.00
Escrow deficit (This figure includes projected additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)	<u>2,720.00</u>
BALANCE DUE	44,292.01

EXHIBIT A

ALL THAT CERTAIN PROPERTY SITUATED IN THE TOWNSHIP OF PENN IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A DEED DATED 09/12/97 AND RECORDED 09/17/97, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 1873 AND PAGE 05 AND.

ADDRESS: RR 2 BOX 176; CURWENSVILLE, PA 16683 TAX MAP OR PARCEL ID
NO.: 125-F11-33.1 →

Exhibit "A"

VERIFICATION

AND NOW Louis P. Vitti verifies that the statements made in this Complaint are true and correct to the best of his knowledge, 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.

By virtue of the fact that the Plaintiff is outside the jurisdiction of the court and the verification cannot be obtained within the time allowed for the filing of this pleading, the pleading is submitted by counsel having sufficient knowledge, information and belief based upon the information provided him by the Plaintiff.



Louis P. Vitti

Dated: April 10, 2001

FILED

APR 12 2001
2:01 a.m. Uth,
William A. Shaw
Prothonotary

pd \$80.00

acc Shaw's

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY BANK OF
PENNSYLVANIA,

CIVIL DIVISION

NO. 01-531-CD

Plaintiff,

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

vs.

VERNON L. SPENCER a/k/a VERNON
LEE SPENCER and TAMMY L.
SPENCER, his wife,

Code MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Defendants.

Counsel of record for this
party:

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

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

(412) 281-1725

FILED

JUN 08 2001

William A. Shaw
Prothonotary

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

NATIONAL CITY BANK OF PENNSYLVANIA, : NO. 01-531-CD

Plaintiff,

vs.

VERNON L. SPENCER a/k/a VERNON LEE
SPENCER and TAMMY L. SPENCER,
his wife,

Defendants.

PRAECIPE FOR DEFAULT JUDGMENT
AND ASSESSMENT OF DAMAGES

TO: PROTHONOTARY OF CLEARFIELD

Enter judgment in Default of an Answer in the amount of **\$44,639.38**, in favor of the National City Bank of Pennsylvania, Plaintiff in the above-captioned action, against the Defendants, **Vernon Lee and Tammy Spencer** and assess Plaintiff's damages as follows and/or as calculated in the Complaint:

Unpaid Principal Balance	\$36,000.00
Interest from 7/5/00-5/30/01 (Plus \$11.5792 per day after 5/30/01)	3,809.54
Late charges (Plus \$38.73 per month from 4/10/01-Sale Date)	309.84
Attorney's fee	1,800.00
Escrow Deficit (Plus any additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)	<u>2,720.00</u>

Total Amount Due **\$44,639.39**

The real estate, which is the subject matter of the Complaint, is situate in .

Twp. Penn, Cty Clearfield, CmwltH PA HET a dwg k/a RR2, Box 176, Curwensville PA 16833.
Parcel # 125-F11-33.1



Louis P. Vitti, Esquire
Attorney for the Plaintiff

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

NATIONAL CITY BANK OF PENNSYLVANIA, : NO. 01-531-CD
:
Plaintiff, :
:
vs. :
:
VERNON L. SPENCER a/k/a VERNON LEE :
SPENCER and TAMMY L. SPENCER, :
his wife, :
Defendants. :

CERTIFICATION OF MAILING

I, Louis P. Vitti, do hereby certify that a Notice of Intention to Take Judgment was mailed to the Defendant(s), in the above-captioned case on May 17, 2001, giving ten (10) day notice that judgment would be entered should no action be taken.

LOUIS P. VITTI & ASSOCIATES, P.C.

BY:

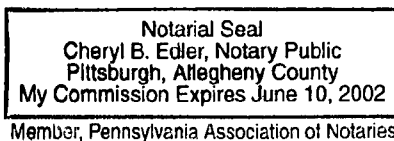


Louis P. Vitti, Esquire
Attorney for Plaintiff

SWORN to and subscribed

before me this 5th day

of June, 2001.




Notary Public

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

NATIONAL BANK OF PENNSYLVANIA,

Plaintiff,

NO. 01-531-CD

vs.

VERNON L. SPENCER a/k/a VERNON LEE
SPENCER and TAMMY L. SPENCER,
his wife,

Defendant.

IMPORTANT NOTICE

TO: Vernon L. Spencer
Tammy L. Spencer
1072 Treasure Lake, Pinderpoint Rd.
Dubois, Clearfield County, Pa. 15801

Date of Notice: May 17, 2001


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

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

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

LOUIS P. VITTI & ASSOCIATES, P.C.

BY:


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

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

AFFIDAVIT OF NON-MILITARY STATUS

TO THE BEST OF MY KNOWLEDGE AND BELIEF VERNON L SPENCER AND TAMMY L SPENCER IS NOW, NOR HAS BEEN IN THE LAST 90 DAYS, A PERSON IN THE MILITARY SERVICE OF THE UNITED STATES AS THAT TERM DEFINED IN THE SOLDIERS AND SAILORS CIVIL RELIEF ACT OF 1940.

ALSO, TO THE BEST OF MY KNOWLEDGE AND BELIEF THE AFORESAID PERSON(S) OWN THE REAL ESTATE AT RR 2 BOX 176, CURWENSVILLE, PA 16833, SECURING MORTGAGE LOAN 8000008164, HELD OR SERVICED BY ALTEGRA CREDIT COMPANY.

ALTEGRA CREDIT COMPANY

BY: Holly Heath
HOLLY HEATH

FORECLOSURE PROCESSOR

STATE OF PENNSYLVANIA,

CITY/ COUNTY OF ALLEGHENY

I, Charlene M. Jones, A NOTARY PUBLIC IN AND FOR THE JURISDICTION AFORESAID DO HEREBY CERTIFY THAT HOLLY HEATH OF THE FORECLOSURE DEPARTMENT OF ALTEGRA CREDIT COMPANY, WHOSE NAME AS SUCH SIGNED TO THE FOREGOING INSTRUMENT HAS ACKNOWLEDGED THE SAME BEFORE ME.

GIVEN UNDER MY HAND THIS DAY, June 4, 2001.

Charlene M. Jones
NOTARY PUBLIC

MY COMMISSION EXPIRES:

Notarial Seal
Charlene M. Jones, Notary Public
Pittsburgh, Allegheny County
My Commission Expires Jan. 17, 2005
Member, Pennsylvania Association of Notaries

COPY

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

NATIONAL CITY BANK OF PENNSYLVANIA,	:	NO. 01-531-CD
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
VERNON L. SPENCER a/k/a VERNON LEE	:	
SPENCER and TAMMY L. SPENCER,	:	
his wife,	:	
Defendants.	:	

NOTICE OF ORDER, DECREE OR JUDGMENT

TO: DEFENDANT(S)

You are hereby notified that a judgment was entered in the above-captioned proceeding
on the 8th day of June 2001

Judgment is as follows: **\$44,639.38.**

Deputy

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

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

COPY

National City Bank of Pennsylvania
Plaintiff(s)

No.: 2001-00531-CD

Real Debt: \$44,639.38

Atty's Comm:

Vs.

Costs: \$

Int. From:

Vernon L. Spencer a/k/a Vernon Lee
Spencer and Tammy L. Spencer, his wife
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: June 8, 2001

Expires: June 8, 2006

Certified from the record this 8th of June, 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

JUN 08 2001

W.A. Shaw
William A. Shaw
Prothonotary

With pd \$20.00

Wets. to Dgs.

Statement to atty With

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10891

NATIONAL CITY BANK OF PENNSYLVANIA

01-531-CD

VS.

SPENCER, VERNON L. a/k/a VERNON LEE SPENCER & TAMMY L. SPENCE

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW APRIL 26, 2001 AT 1:27 PM DST SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON VERNON L. SPENCER a/k/a VERNON LEE SPENCER, DEFENDANT AT RESIDENCE, 1072 TREASURE LAKE, PINDERPOINT RD., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO VERNON SPENCER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: SNYDER/SHULTZ

NOW APRIL 26, 2001 AT 1:28 PM DST SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON TAMMY L. SPENCER, DEFENDANT AT RESIDENCE, 1072 TREASURE LAKE, PINDERPOINT RD., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO VERNON SPENCER, HUSBAND OF DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: SNYDER/SHULTZ

Return Costs

Cost	Description
53.64	SHFF. HAWKINS PAID BY: ATTY.
20.00	SURCHARGE PAID BY: ATTY.

FILED
013:07:01
APR 27 2001
William A. Shaw
Prothonotary

Sworn to Before Me This

27th Day Of April 2001

William A. Shaw

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

So Answers,

Chester A. Hawkins

Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY BANK OF
PENNSYLVANIA,

CIVIL DIVISION

NO. 01-531-CD

Plaintiff.

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

vs.

VERNON L. SPENCER a/k/a VERNON
LEE SPENCER and TAMMY L.
SPENCER, his wife,

Code MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Defendants.

Counsel of record for this
party:

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

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

(412) 281-1725

FILED

JUN 08 2001

William A. Shaw
Prothonotary

FILED

JUN 08 2001

M

949/city U.C.H.

William A. Shaw

Prothonotary

PD#20.00

60175 Shaw

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

COPY

National City Bank of Pennsylvania,

Vs.

NO.: 2001-00531-CD

Vernon L. Spencer , a/k/a Vernon Lee
Spencer and Tammy L. Spencer , his wife,

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the debt, interest and costs due NATIONAL CITY BANK OF PENNSYLVANIA, , Plaintiff(s) from
VERNON L. SPENCER , a/k/a VERNON LEE SPENCER, and TAMMY L. SPENCER , Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:
See Attached Description

(2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying
any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise
disposing thereof;

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other
than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined
as above stated.

AMOUNT DUE: \$44,639.38
INTEREST: 5/31/01 - Sale Date
PROTH. COSTS: \$
ATTY'S COMM: \$
DATE: 06/08/2001

PAID: \$120.00
SHERIFF: \$
OTHER COSTS: \$

William A. Shaw
Prothonotary/Clerk Civil Division

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

Requesting Party: Louis P. Vitti, Esquire
916 Fifth Avenue
Pittsburgh, PA 15219

Sheriff

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

NATIONAL CITY BANK OF PENNSYLVANIA,	:	NO. 01-531-CD
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
VERNON L. SPENCER a/k/a VERNON LEE	:	
SPENCER and TAMMY L. SPENCER,	:	
his wife.	:	
Defendants.	:	

LEGAL DESCRIPTION

ALL that certain piece or parcel of land with a residential dwelling and other improvements thereon situate in Penn Township, Clearfield County, Pennsylvania bounded and described as follows:

BEGINNING at an iron pin, said iron pin being located on the West right of way of Township Road T-467, said iron pin being located in the Southern property line of the larger tract of land of which this parcel was once a part; thence in a Westerly direction Four Hundred (400) feet, more or less, to an iron pin, said iron pin being located in the Southern property line of the larger tract of land of which this parcel was once a part, and said iron pin being located, placed and agreed upon by predecessors in title; thence in a Northerly direction along the remaining land now or formerly of Ernest L. Anderson and Donna J. Anderson, husband and wife, of which this parcel was once a part, Two Hundred Sixty (260) feet, more or less, to an iron pin, said iron pin being located, placed and agreed upon by predecessors of the title; thence in an Easterly direction along the line of lands now or formerly of the aforesaid Ernest L. Anderson and Donna J. Anderson, Four Hundred (400) feet, more or less, to an iron pin, said iron pin being located in the Western right-of-way line of township Road T-467; thence in a Southerly direction along the Western right-of-way line of Township Road T-467 Two Hundred Sixty (260) feet, more or less, to an iron pin, the aforesaid place of beginning. Containing Two (2) acres more or less.

HAVING erected thereon a dwelling known as RR2 Box 176, Curwensville, PA 16833 in Clearfield County, PA.

Parcel No. 125-F11-33.1.

BEING the same premises which Vernon L. Spencer by his Deed dated 9/12/1997 and recorded on 9/17/1997 in the Clearfield County, Pennsylvania, in the Recorder of Deeds office in Deed Book Volume 1873, page 5, granted and conveyed unto Vernon L. Spencer, a/k/a Vernon Lee Spencer and Tammy L. Spencer, husband and wife, as tenants by the entirety.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY BANK OF
PENNSYLVANIA,

Plaintiff,

vs.

VERNON L. SPENCER a/k/a VERNON
LEE SPENCER and TAMMY L.
SPENCER, his wife,

Defendant.

CIVIL DIVISION

NO. 01-531-CD

AFFIDAVIT OF SERVICE

Code MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Counsel of record for this
party:

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

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

(412) 281-1725

FILED

JUL 09 2001

William A. Shaw
Prothonotary

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

NATIONAL CITY BANK OF
PENNSYLVANIA,

NO. 01-532-CD

Plaintiff,

vs.

VERNON L. SPENCER a/k/a VERNON
LEE SPENCER and TAMMY L.
SPENCER, his wife,

Defendants.

AFFIDAVIT OF SERVICE

I, Lois A. Evangelista, do hereby certify that a Notice of Sale was mailed and served upon the defendants by certified mail on 6/26/01 and all lien holders by Certificate of Mailing for service in the above-captioned case on 5/20/01, advising them of the Sheriff's sale of the property at RR #2, Box 176, Curwensville, PA 16833, on August 3, 2001.

LOUIS P. VITTI & ASSOCIATES, P.C.

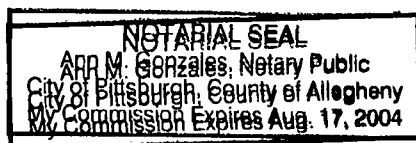
BY Lois A. Evangelista
Lois A. Evangelista

SWORN to and subscribed

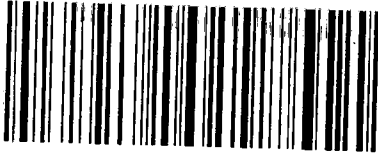
before me this 5th day

of July, 2001.

[Signature]
Notary Public



2. Article Number



7106 4575 1292 4222 1093

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

6/28/01

C. Signature

X *[Signature]*

☐ Agent
☒ Addressee

D. Is delivery address different from item 1?
If YES, enter delivery address below:

☐ Yes
☒ No

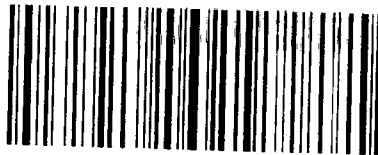
Vernon L. Spencer
1072 Treasure Lake, Pinderpoint Rd.
Schois, PA 13801

PS Form 3811, June 2000

Domestic Return Receipt

1cc/spencer/6.2.01

2. Article Number



7106 4575 1292 4222 1109

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

6/28/01

C. Signature

X *[Signature]*

☐ Agent
☒ Addressee

D. Is delivery address different from item 1?
If YES, enter delivery address below:

☐ Yes
☒ No

Vernon L. Spencer
1072 Treasure Lake, Pinderpoint Rd.
Schois, PA 13801

PS Form 3811, June 2000

Domestic Return Receipt

1cc/spencer/6.2.01

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

Received From: **LOUIS P. VITTI & ASSOCIATES, INC.**
1916 FIFTH AVENUE
PITTSBURGH, PA 15219
(412) 281-1725

One piece of ordinary mail addressed to:
Beneficial, C.D.C.
96 Beaver Drive
Suite 114C
Dubois, PA 15801

PS Form 3817, Mar. 1989 1ae/spencer.8.3.01

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

Received From: **LOUIS P. VITTI & ASSOCIATES, P.C.**
916 FIFTH AVENUE
PITTSBURGH, PA 15219
(412) 281-1725

One piece of ordinary mail addressed to:
Commonwealth of PA - Dpw
PO Box 8016
Harrisburg, PA 17105

PS Form 3817, Mar. 1989 1ae/spencer/8

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

Received From: **LOUIS P. VITTI & ASSOCIATES, P.C.**
916 FIFTH AVENUE
PITTSBURGH, PA 15219
(412) 281-1725

One piece of ordinary mail addressed to:
Bureau of Compliance
Clearance Support Section
Dept #281230
Harrisburg, PA 17128-1230

Attn: Susan Blough

PS Form 3817, Mar. 1989 1ae.spencer.8.3.01

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

Received From: **LOUIS P. VITTI & ASSOCIATES**
17016 FIFTH AVENUE
PITTSBURGH, PA 15219
(412) 281-1725

One piece of ordinary mail addressed to:
Tax Collector of Penn Township
Attn: Claire L. Pentz
RR#2, Box 167
Curwensville, PA 16833

PS Form 3817, Mar. 1989 lae/spencer/8.3.01

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

Received From: **LOUIS P. VITTI & ASSOCIATES, PC**
916 FIFTH AVENUE
PITTSBURGH, PA 15219
(412) 281-1725

One piece of ordinary mail addressed to:
Court of Common Pleas of Clearfield Co.
Domestic Relations Division
PO Box 549
Clearfield PA 16830

PS Form 3817, Mar. 1989 lae.spencer.8.3.01

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

Received From: **LOUIS P. VITTI & ASSOCIATES, PC**
916 FIFTH AVENUE
PITTSBURGH, PA 15219
(412) 281-1725

One piece of ordinary mail addressed to:
Tenant/Occupant
RR#2, Box 176
Curwensville, PA 16833

PS Form 3817, Mar. 1989 lae.spencer/8.3.

FILED

JUL 09 2001
m/8:30/ vac
William A. Shaw
Prothonotary
wo 1/6 E
K21

01-531-CD

NOTICE OF SHERIFF'S SALE OF
REAL ESTATE PURSUANT TO
PENNSYLVANIA RULE OF CIVIL
PROCEDURE 3129.1

FILED

JUN 22 2001
11:04am
William A. Shaw
Prothonotary

TO: Vernon L. Spencer
Tammy L. Spencer
1072 Treasure Lake, Pinderpoint Rd.
Dubois, Clearfield County, PA 15801

AND: ALL LIEN HOLDERS

TAKE NOTICE that by virtue of the above Writ of Execution issued out of the Court of Common Pleas of Clearfield County, Pennsylvania and to the Sheriff of Clearfield County, directed, there will be exposed to Public Sale in Clearfield County Courthouse on **August 3, 2001 at 10:00 A. M.**, the following described real estate, of which Vernon L. Spencer and Tammy L. Spencer are owners or reputed owners:

Twp. Penn, Cty Clearfield, Cmwlt PA HET a dwg k/a RR2, Box 176, Curwensville PA 16833. Parcel # 125-F11-33.1

The said Writ of Execution has issued on a judgment in the mortgage foreclosure action of National Bank of Pennsylvania vs. Vernon L. Spencer, et al at No. 01-531-CD in the amount of \$44,639.38.

Claims against property must be filed at the Office of the Sheriff before above sale date.

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

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

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

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

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

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

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

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

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

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

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

You may also have the right to have the Sheriff's Sale set aside if the property is sold for a grossly inadequate price or if there are defects in the Sheriff's Sale. To exercise this right, you should file a petition with the Court after the sale and before the Sheriff has delivered his Deed to the property. The Sheriff will deliver the Deed if no petition to set aside the sale is filed within ten (10) days from the date when the Schedule of Distribution is filed in the Office of the Sheriff.



Louis P. Vitti, Esquire
Attorney for Plaintiff
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

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

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

National City Bank of Pennsylvania,

Vs.

NO.: 2001-00531-CD

Vernon L. Spencer , a/k/a Vernon Lee
Spencer and Tammy L. Spencer , his wife,

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the debt, interest and costs due NATIONAL CITY BANK OF PENNSYLVANIA, , Plaintiff(s) from
VERNON L. SPENCER , a/k/a VERNON LEE SPENCER, and TAMMY L. SPENCER , Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:
See Attached Description

(2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying
any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise
disposing thereof;

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other
than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined
as above stated.

AMOUNT DUE: \$44,639.38
INTEREST: 5/31/01 - Sale Date
PROTH. COSTS: \$
ATTY'S COMM: \$
DATE: 06/08/2001

PAID: \$120.00
SHERIFF: \$
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 24 day
of June A.D. 2001
At 11:50 A.M./P.M.

Sheriff

Kester A. Hunkler
by Morgan and H. Pitt

Requesting Party: Louis P. Vitti, Esquire
916 Fifth Avenue
Pittsburgh, PA 15219

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

NATIONAL CITY BANK OF PENNSYLVANIA, : NO. 01-531-CD
:
Plaintiff, :
:
vs. :
:
VERNON L. SPENCER a/k/a VERNON LEE :
SPENCER and TAMMY L. SPENCER, :
his wife. :
Defendants. :

LEGAL DESCRIPTION

ALL that certain piece or parcel of land with a residential dwelling and other improvements thereon situate in Penn Township, Clearfield County, Pennsylvania bounded and described as follows:

BEGINNING at an iron pin, said iron pin being located on the West right of way of Township Road T-467, said iron pin being located in the Southern property line of the larger tract of land of which this parcel was once a part; thence in a Westerly direction Four Hundred (400) feet, more or less, to an iron pin, said iron pin being located in the Southern property line of the larger tract of land of which this parcel was once a part, and said iron pin being located, placed and agreed upon by predecessors in title; thence in a Northerly direction along the remaining land now or formerly of Ernest L. Anderson and Donna J. Anderson, husband and wife, of which this parcel was once a part, Two Hundred Sixty (260) feet, more or less, to an iron pin, said iron pin being located, placed and agreed upon by predecessors of the title; thence in an Easterly direction along the line of lands now or formerly of the aforesaid Ernest L. Anderson and Donna J. Anderson, Four Hundred (400) feet, more or less, to an iron pin, said iron pin being located in the Western right-of-way line of township Road T-467; thence in a Southerly direction along the Western right-of-way line of Township Road T-467 Two Hundred Sixty (260) feet, more or less, to an iron pin, the aforesaid place of beginning. Containing Two (2) acres more or less.

HAVING erected thereon a dwelling known as RR2 Box 176, Curwensville, PA 16833 in Clearfield County, PA.

Parcel No. 125-F11-33.1.

BEING the same premises which Vernon L. Spencer by his Deed dated 9/12/1997 and recorded on 9/17/1997 in the Clearfield County, Pennsylvania, in the Recorder of Deeds office in Deed Book Volume 1873, page 5, granted and conveyed unto Vernon L. Spencer, a/k/a Vernon Lee Spencer and Tammy L. Spencer, husband and wife, as tenants by the entirety.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11101

NATIONAL CITY BANK OF PENNSYLVANIA

01-0531-CD

VS.

SPENCER, VERNON, A/K/A/ SPENCER, VERNON LEE

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, JUNE 28, 2001, AT 11:00 AM O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANTS. PROPERTY WAS POSTED THIS DATE.

A SALE IS SET FOR FRIDAY, AUGUST 3, 2001, AT 10:00 AM.

NOW, JUNE 28, 2001, AT 1:15PM O'CLOCK SERVED WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY ON TAMMY L. SPENCER, DEFENDANT, AT HER PLACE OF RESIDENCE, 1072 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, 15801, BY HANDING TO TAMMY L. SPENCER, DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY AND MADE KNOWN TO HER THE CONTENTS THEREOF.

NOW, JUNE 28, 2001, AT 1:21PM O'CLOCK SERVED WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY ON VERNON L. SPENCER, DEFENDANT, AT HIS PLACE OF RESIDENCE, 1072 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, 15801, BY HANDING TO VERNON L. SPENCER, DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

NOW, AUGUST 3, 2001, A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANTS. PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR ONE (\$1.00) DOLLAR PLUS COSTS.

NOW, AUGUST 13, 2001, RECEIVED ATTORNEY CHECK #4118, IN THE AMOUNT OF NINE HUNDRED TWO DOLLARS AND SIXTY-THREE CENTS (\$902.63) FOR COSTS DUE.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11101

NATIONAL CITY BANK OF PENNSYLVANIA

01-0531-CD

VS.

SPENCER, VERNON, A/K/A SPENCER, VERNON LEE

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, AUGUST 22, 2001, RETURN WRIT AS A SALE BEING HELD WITH THE PLAINTIFF PURCHASING THE PROPERTY FOR ONE DOLLAR (\$1.00) PLUS COSTS. COSTS WERE PAID FROM ADVANCE AND MONEY RECEIVED FROM PLAINTIFF, DEED WAS FILED THIS DATE.

SHERIFF HAWKINS \$211.20
SURCHARGE \$ 40.00
PAID BY ATTORNEY

FILED

led **AUG 22 2001**
013:05 pm
William A. Shaw
Prothonotary

Sworn to Before Me This

22nd Day of August 2001
William A. Shaw

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

So Answers,

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

REAL ESTATE SALE

REAL ESTATE SALE SCHEDULE OF DISTRIBUTION

REAL ESTATE SALE

NOW, AUGUST 6, 2001, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on the 3rd day of AUGUST 2001, I exposed the within described real estate of VERNON L. SPENCER a/k/a VERNON LEE SPENCER and TAMMY L. SPENCER,
his wife
to public venue or outcry at which time and place I sold the same to NATIONAL CITY BANK OF PENNSYLVANIA
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		3.12
LEVY		15.00
MILEAGE		3.12
POSTING		15.00
CSDS		10.00
COMMISSION 2%		
POSTAGE		4.08
HANDBILLS		15.00
DISTRIBUTION		25.00
ADVERTISING		15.00
ADD'L SERVICE		15.00
DEED		30.00
ADD'L POSTING		
ADD'L MILEAGE		9.88
ADD'L LEVY		
BID AMOUNT		1.00
RETURNS/DEPUTIZE		
COPIES / BILLING		15.00
BILLING - PHONE - FAX		5.00
TOTAL SHERIFF COSTS	\$	210.70

DEED COSTS:

REGISTER & RECORDER	\$	16.50
ACKNOWLEDGEMENT	****	5.00
TRANSFER TAX 2%		
TOTAL DEED COSTS		\$ 21.50

DEBT & INTEREST:

DEBT-AMOUNT DUE		\$ 44,639.38
INTEREST 5-31-01	TO BE ADDED	

TOTAL DEBT & INTEREST	\$ 44,639.38
----------------------------------	---------------------

COSTS:

ATTORNEY FEES	\$	
PROTH. SATISFACTION		
ADVERTISING	\$	321.81
LATE CHARGES & FEES		
TAXES-Collector	\$	476.61
TAXES-Tax Claim	\$	508.51
COSTS OF SUIT-To Be Added		
LIST OF LIENS	\$	140.00
MORTGAGE SEARCH		
ACKNOWLEDGEMENT		5.00
DEED COSTS	\$	16.50
ATTORNEY COMMISSION		
SHERIFF COSTS	\$	210.70
LEGAL JOURNAL AD	\$	103.50
REFUND OF ADVANCE		
REFUND OF SURCHARGE		
PROTHONOTARY	\$	120.00

TOTAL COSTS	\$	1,902.63
--------------------	-----------	-----------------

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

LOUIS P. VITTI & ASSOCIATES, P. C. 09/00

4118

ESCROW FUND 2

916 5TH AVENUE, 6TH FLOOR
PITTSBURGH, PA 15219

8-12/430 368

DATE

8/10/01

PAY
TO THE
ORDER OF

Sheriff of Clearfield County

\$ 902.63

nine hundred two and 69/100

DOLLARS



Security
Features
Details on
Back

National City.

National City Bank of Pennsylvania
Pittsburgh, Pennsylvania

FOR

#60601 Spencer

Mary Ann Quinlan

MP

EX-11101

⑈004118⑈ ⑆043000122⑆ 054951732⑆

COPY