

01-1099-CD  
GMAC MORTGAGE CORPORATION -vs- HEATHER L. MERCURIO

COMPLAINT COUNTER-CLAIM

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

GMAC MORTGAGE CORPORATION  
3451 HAMMOND AVENUE  
P.O. BOX 780  
WATERLOO, IA 50704

COURT OF COMMON PLEAS  
CIVIL DIVISION

Plaintiff

v.

TERM

NO. 01-1099-C

CLEARFIELD COUNTY

HEATHER L. MERCURIO  
15965 ARBOR VIEW BOULEVARD  
#726  
NAPLES, FL 34110

Defendant(s)

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

**NOTICE**

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

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

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

**FILED**

JUL 09 2001

Loan #: 306641080

*William A. Shaw  
Prostemyer*

IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM THIS OFFICE, BE ADVISED THAT:

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977), DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S) DO SO IN WRITING WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL OBTAIN AND PROVIDE DEFENDANT(S) WITH WRITTEN VERIFICATION THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED TO BE VALID. LIKEWISE, IF REQUESTED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S) THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM ABOVE.

THE LAW DOES NOT REQUIRE US TO WAIT UNTIL THE END OF THE THIRTY (30) DAY PERIOD FOLLOWING FIRST CONTACT WITH YOU BEFORE SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

1. Plaintiff is

GMAC MORTGAGE CORPORATION  
3451 HAMMOND AVENUE  
P.O. BOX 780  
WATERLOO, IA 50704

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

HEATHER L. MERCURIO  
15965 ARBOR VIEW BOULEVARD  
#726  
NAPLES, FL 34110

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

3. On 4/19/99 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to ACCUBANK MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 199906239. By Assignment of Mortgage recorded 5/21/01 the mortgage was assigned to PLAINTIFF which Assignment is recorded in Assignment of Mortgage Instrument No. 200107519.
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 2/1/01 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon default in such payments for a period of one month, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$50,340.43
Interest	1,571.68
1/1/01 through 6/1/01	
(Per Diem \$10.34)	
Attorney's Fees	2,517.00
Cumulative Late Charges	101.05
4/19/99 to 6/1/01	
Cost of Suit and Title Search	<u>550.00</u>
Subtotal	\$55,080.16
Escrow	
Credit	115.48
Deficit	0.00
Subtotal	<u>(\$ 115.48)</u>
<b>TOTAL</b>	<b>\$54,964.68</b>

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

8. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.00.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$54,964.68, together with interest from 6/1/01 at the rate of \$10.34 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

ALL that certain piece or parcel of land situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a post at a corner formed by the intersection of the Southwesterly line of an alley (first alley Southwesterly from Olive Avenue) and the Northwesterly line of Pifer Street; thence South 31° West by line of said Pifer Street, 30 feet 6 inches to a post at corner of lot now or formerly of A. J. McElroy; thence Westerly by line of said McElroy lot, 150 feet to a post at an alley; thence in a Northerly direction by line of said alley, 50 feet to a post at the first mentioned alley; thence South 41° 15' East by line of said alley, 150 feet, more or less, to a post at Pifer Street, the place of beginning. Being known as Lot No. 115 and the Northerly part of Lot No. 116 as per H. S. Knarr's Addition to DuBois, Pennsylvania, which said plat is recorded at Clearfield, Pennsylvania in Miscellaneous Book U, page 278.

BEING the same premises which were conveyed to John R. Bross, et ux. by deed of Lyle R. Woods, et ux., dated March 27, 1992, and recorded at Clearfield, Pennsylvania, in Deeds and Records Book No. 1451, page 89.

PREMISES: 310 PIFER STREET

VERIFICATION

KRISTINE WILSON hereby states that she is FORECLOSURE SPECIALIST of GMAC MORTGAGE CORPORATION mortgage servicing agent for Plaintiff in this matter, that she 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 her 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.

Kristine Wilson

DATE: 7/3/01

**FILED**  
Atty pd.  
80.00  
MAY 10 2001  
JUL 19 2001  
CC Sheriff  
William A. Shaw  
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11206

GMAC MORTGAGE CORPORATION

01-1099-CD

VS.

MERCURIO, HEATHER L.

**COMPLAINT IN MORTGAGE FORECLOSURE**

**SHERIFF RETURNS**

NOW AUGUST 9, 2001 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE  
WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO  
HEATHER L. MERCURIO, DEFENDANT. MOVED OVER ONE YEAR AGO.

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Return Costs

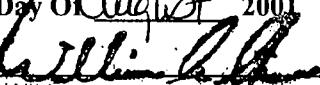
Cost	Description
26.35	SHFF. HAWKINS PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

**FILED**

AUG 20 2001  
010451am  
William A. Shaw  
Prothonotary

Sworn to Before Me This

20th Day of August 2001

  
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  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

GMAC MORTGAGE CORPORATION  
3451 HAMMOND AVENUE  
P.O. BOX 780  
WATERLOO, IA 50704

COURT OF COMMON PLEAS  
CIVIL DIVISION

Plaintiff

v.

TERM

NO. 01-1097-C

CLEARFIELD COUNTY

HEATHER L. MERCURIO  
15965 ARBOR VIEW BOULEVARD  
#726  
NAPLES, FL 34110

Defendant(s)

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

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CLEARFIELD COUNTY

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

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

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

JUL 08 2001

Loan #: 306641080

Attest:

William J. Shan  
Prothonotary

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P.O. BOX 780  
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HEATHER L. MERCURIO  
15965 ARBOR VIEW BOULEVARD  
#726  
NAPLES, FL 34110

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

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PREMISES: 310 PIFER STREET

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Kristine Wilson

DATE: 7/3/01

## AFFIDAVIT OF SERVICE - CLEARFIELD COUNTY

PLAINTIFF GMAC MORTGAGE CORPORATION

NO. 01-1099-CD

DEFENDANT HEATHER L. MERCURIO

TYPE OF ACTION

 Mortgage Foreclosure Civil ActionSERVE AT: 15965 ARBOR VIEW BOULEVARD #726  
NAPLES, FL 34110

FILED

SEP 14 2001

William A. Shaw  
ProthonotarySERVEDServed and made known to Heather L. MercurioDefendant on the 25th day of August, 2001 at 9:00- o'clock, A. M., at 15965 Arbor View Blvd.

, City 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.and officer of said defendant  
company.

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

I, Michael Baker, a competent adult, being duly sworn according to  
law, depose and state, that I personally handed to Heather Mercurio  
a true and correct copy of the Summons and Civil Action Complaint  
issued in the captioned case on the date and at the address indicated  
above.Sworn to and subscribed  
Before me this 21 dayOf August, 2001

Notary: \_\_\_\_\_

By: \_\_\_\_\_

Teresa Joiner Teresa Joiner  
MY COMMISSION # CC913583 EXPIRES \_\_\_\_\_  
On the May 16 2004 of \_\_\_\_\_, 2000, at \_\_\_\_\_ o'clock

NOT SERVED

. M., Defendant NOT FOUND because:

Moved \_\_\_\_\_ Unknown \_\_\_\_\_ No Answer \_\_\_\_\_ Vacant

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

Sworn to and subscribed  
Before me the \_\_\_\_\_ day  
Of \_\_\_\_\_, 2000.

Notary: \_\_\_\_\_

Frank Federman

By: \_\_\_\_\_

ATTORNEY OF PLAINTIFF

FRANK FEDERMAN, ESQUIRE - I.D.#12248

Suite 1400

One Penn Center Plaza at Suburban Station

Philadelphia, PA 19103-1799

(215)563-7000

IN THE COUNTY COURT OF THE COMMONWEALTH OF PENNSYLVANIA  
IN AND FOR CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

GMAC MORTGAGE CORPORATION

Plaintiff

vs.

CASE NO: 01-1099-CD

HEATHER L. MERCURIO

Defendant(s).

SUGGESTION OF BANKRUPTCY

COMES NOW Defendant, HEATHER L. MERCURIO, and hereby suggests to the Court that on October 2, 2001, she filed in the United States Bankruptcy Court for the Middle District of Florida, Case No. 01-18372-9P3, a Petition for protection pursuant to United States Bankruptcy Code, 11 U.S.C. Chapter 13. Included in the schedule of creditors in said bankruptcy is, GMAC MORTGAGE CORPORATION, Plaintiff herein.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to GMAC Mortgage Corporation, c/o Frank Federman, Esq., 1617 John F. Kennedy Blvd., Ste 1400, Philadelphia PA 19103-1814, by first class U.S. Mail, postage fully prepaid, this 4th day of October, 2001.

**FILED**

OCT 09 2001

William A. Shaw  
Prothonotary

*Heather L. Mercurio*  
HEATHER L. MERCURIO  
1190 Wildwood Lakes Blvd #104  
Naples FL 34104

IN THE COUNTY COURT OF THE COMMONWEALTH OF PENNSYLVANIA  
IN AND FOR CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

S & T BANK

Plaintiff

vs.

CASE NO: CV000022601

HEATHER L. MERCURIO

Defendant(s).

/

SUGGESTION OF BANKRUPTCY

COMES NOW Defendant, HEATHER L. MERCURIO, and hereby suggests to the Court that on October 2, 2001, she filed in the United States Bankruptcy Court for the Middle District of Florida, Case No. 01-18372-9P3, a Petition for protection pursuant to United States Bankruptcy Code, 11 U.S.C. Chapter 13. Included in the schedule of creditors in said bankruptcy is, S & T BANK, Plaintiff herein.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to S & T Bank, P.O. Box 469, Indiana PA 15701-0469, by first class U.S. Mail, postage fully prepaid, this 4th day of October, 2001.

*Heather L. Mercurio*  
HEATHER L. MERCURIO  
1190 Wildwood Lakes Blvd #104  
Naples FL 34104

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

F.N.B. CONSUMER DISCOUNT CO.

Plaintiff

vs.

CASE NO: CV-0000168-01

HEATHER L. MERCURIO

Defendant(s).

SUGGESTION OF BANKRUPTCY

COMES NOW Defendant, HEATHER L. MERCURIO, and hereby suggests to the Court that on October 2, 2001, she filed in the United States Bankruptcy Court for the Middle District of Florida, Case No. 01-18372-9P3, a Petition for protection pursuant to United States Bankruptcy Code, 11 U.S.C. Chapter 13. Included in the schedule of creditors in said bankruptcy is, F.N.B. CONSUMER DISCOUNT CO., Plaintiff herein.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to F.N.B. Consumer Discount Co. PO Box 830, DuBois PA 15801, by first class U.S. Mail, postage fully prepaid, this 4th day of October, 2001.

*Heather L. Mercurio*  
HEATHER L. MERCURIO  
1190 Wildwood Lakes Blvd #104  
Naples FL 34104

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

Attorney for Plaintiff

GMAC MORTGAGE CORPORATION : CLEARFIELD COUNTY  
3451 HAMMOND AVENUE, PO BOX 780 : COURT OF COMMON PLEAS  
WATERLOO, IA 50704 : CIVIL DIVISION  
vs. : NO. 01-1099-CD  
HEATHER L. MERCURIO :  
15965 ARBOR VIEW BOULEVARD #726  
NAPLES, FL 34110 :  
:

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

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against  
HEATHER L. MERCURIO, 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	\$54,964.68
Interest - 6/1/01 TO 10/9/01	\$ 1,354.54
TOTAL	\$56,319.22

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

*Frank Federma*  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED. 

DATE: 10/16/01

PRO PROTHY

**FILED**

OCT 16 2001

William A. Shaw  
Prothonotary

FEDERMAN AND PHELAN  
BY: FRANK FEDERMAN, ESQUIRE  
Identification No. 12248  
1617 John F. Kennedy Boulevard Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Attorney for Plaintiff

GMAC MORTGAGE CORPORATION

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

vs.

: CLEARFIELD COUNTY

HEATHER L. MERCURIO

: NO. 01-1099-CD

Defendant(s)

TO: HEATHER L. MERCURIO  
15965 ARBOR VIEW BOULEVARD, #726  
NAPLES, FL 34110

DATE OF NOTICE: SEPTEMBER 18, 2001

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

**IMPORTANT NOTICE**

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

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

---

Frank Federman, Esquire  
Attorney for Plaintiff

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

Attorney for Plaintiff

GMAC MORTGAGE CORPORATION

: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS  
: CIVIL DIVISION

vs.

: NO. 01-1099-CD

HEATHER L. MERCURIO

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 HEATHER L. MERCURIO is over 18 years of age and resides at 15965 ARBOR VIEW BOULEVARD #726, NAPLES, FL 34110.

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

  
FRANK FEDERMAN, ESQUIRE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

GMAC MORTGAGE CORPORATION

)  
) NO. 01-1099-CD

Plaintiff

vs.

HEATHER L. MERCURIO

)  
)

Defendants

Notice is given that a Judgment in the above-captioned matter has been entered against you on October 16, 2001.

By: LL DEPUTY

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

FRANK FEDERMAN, ESQUIRE

Attorney for Party Filing  
One Penn Center at Suburban  
Station, Suite 1400  
Philadelphia, PA 19103  
(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, 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

GMAC Mortgage Corporation  
Plaintiff(s)

No.: 2001-01099-CD

Real Debt: \$56,319.22

Atty's Comm:

Vs.

Costs: \$

Int. From:

Heather L. Mercurio  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: October 16, 2001

Expires: October 16, 2006

Certified from the record this 16th of October, 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**

OCT 16 2001  
M 120318tgy Tadman  
William A. Shaw  
Prothonotary

PD \$20.00

not to do  
Statement to atty

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

GMAC MORTGAGE CORPORATION  
3451 HAMMOND AVENUE, PO BOX  
780  
WATERLOO, IA 50704

: CLEARFIELD  
:  
: COURT OF COMMON  
: PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 01-1099-CD

Plaintiff  
vs.

HEATHER L. MERCURIO  
15965 ARBOR VIEW BOULEVARD  
#726  
NAPLES, FL 34110

:  
:  
:  
:  
:

Defendant(s)

TO THE DIRECTOR OF THE PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due	\$ 56,319.22
Interest from OCTOBER 9, 2001 to (sale date) (per diem - \$9.26)	\$ <u>120.00</u> and Costs

*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**

OCT 1 6 2001

William A. Shaw  
Prothonotary

NO. 01-1099-CD Term  
IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE CORPORATION

vs.

HEATHER L. MERCURIO

---

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Filed:

*Frank Tedesco*  
\_\_\_\_\_  
Attorney for Plaintiff

Address: 15965 ARBOR VIEW BOULEVARD #726, NAPLES, FL 34110  
Where papers may be served.

ALL THAT CERTAIN piece or parcel of land situate, lying and being in the City of DeBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a post at a corner formed by the intersection of the Southwesterly line of an alley (first alley Southwesterly from Olive Avenue) and the Northwesterly line of Pifer Street; thence South 31° West by line of said Pifer Street, 30 feet 6 inches to a post at corner of lot now or formerly of A. J. McElroy; thence Westerly by line of said McElroy lot, 150 feet to a post at an alley; thence in a Northerly direction by line of said alley, 50 feet to a post at the first mentioned alley; thence South 41° 15" East by line of said alley, 150 feet, more or less, to a post at Pifer Street, the place of beginning. Being known as Lot No. 115 and the Northerly part of Lot No. 116 as per M. S. Knarr's Addition to DuBois, Pennsylvania, which said plat is recorded at Clearfield, Pennsylvania in Miscellaneous Book V, Page 278.

TAX PARCEL #003-000-00768

TITLE TO SAID PREMISES IS VESTED IN Heather L. Mercurio by Deed from John R. Bross, and Kathleen A. Bross, husband and wife dated 8/1/1994, recorded 8/15/1994, in Deed Book Volume 1625, Page 288.

FILED

OCT 18 2001  
M 1435 City Edemmen  
William A. Shaw  
Foothonopathy  
DO \$20.00

Rebentsch

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

GMAC MORTGAGE CORPORATION  
3451 HAMMOND AVENUE, PO BOX  
780  
WATERLOO, IA 50704

**Plaintiff**

VS.

HEATHER L. MERCURIO  
15965 ARBOR VIEW BOULEVARD  
#726  
NAPLES, FL 34110

**Defendant(s)**

:\b: CLEARFIELD  
:\b: COURT OF COMMON  
:\b: PLEAS  
:\b: CIVIL DIVISION  
:\b: NO. 01-1099-CD  
:\b:  
:\b:  
:\b:  
:\b:  
:\b:  
:\b:

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 310 PIFER STREET, DUBOIS, PA 15801  
(see attached legal description)

Amount Due \$ 56,319.22

Interest from \$ \_\_\_\_\_  
OCTOBER 9, 2001 to (sale date)  
(per diem - \$9.26)

Total \$ 100.00 Plus Costs as endorsed.

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

Dated: 10-11-01  
(Seal)

NO. 01-1099-CD Term

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE CORPORATION

vs.

HEATHER L. MERCURIO

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Costs

Office of the Prothonotary

Judg. Fee

Cr.

Sat.

Frank T. Lehman  
Attorney for Plaintiff

Address: 15965 ARBOR VIEW BOULEVARD #726, NAPLES, FL 34110  
Where papers may be served.

ALL THAT CERTAIN piece or parcel of land situate, lying and being in the City of DeBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a post at a corner formed by the intersection of the Southwesterly line of an alley (first alley Southwesterly from Olivé Avenue) and the Northwesterly line of Pifer Street; thence South 31° West by line of said Pifer Street, 30 feet 6 inches to a post at corner of lot now or formerly of A. J. McElroy; thence Westerly by line of said McElroy lot, 150 feet to a post at an alley; thence in a Northerly direction by line of said alley, 50 feet to a post at the first mentioned alley; thence South 41° 15" East by line of said alley, 150 feet, more or less, to a post at Pifer Street, the place of beginning. Being known as Lot No. 115 and the Northerly part of Lot No. 116 as per M. S. Knarr's Addition to DuBois, Pennsylvania, which said plat is recorded at Clearfield, Pennsylvania in Miscellaneous Book V, Page 278.

TAX PARCEL #003-000-00768

TITLE TO SAID PREMISES IS VESTED IN Heather L. Mercurio by Deed from John R. Bross, and Kathleen A. Bross, husband and wife dated 8/1/1994, recorded 8/15/1994, in Deed Book Volume 1625, Page 288.

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

GMAC MORTGAGE CORPORATION  
3451 HAMMOND AVENUE, PO BOX  
780  
WATERLOO, IA 50704

**Plaintiff**

vs

HEATHER L. MERCURIO  
15965 ARBOR VIEW BOULEVARD  
#726  
NAPLES, FL 34110

**Defendant(s)**

:\b: CLEARFIELD  
:\b: COURT OF COMMON  
:\b: PLEAS  
:\b: CIVIL DIVISION  
:\b: NO. 01-1099-CD  
:\b:  
:\b:  
:\b:  
:\b:  
:\b:  
:\b:  
:\b:

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):

Premises310 PIFER STREET, DUBOIS, PA 15801  
(see attached legal description)

Amount Due \$ 56,319.22  
Interest from \$ \_\_\_\_\_  
OCTOBER 9, 2001 to (sale date)  
(per diem - \$9.26)  
Total \$ 190.00 Plus Costs as endorsed.

RECEIVED OCT 16 2001

④ 3:26 PM

Walter A. Hawkins  
by Margaret H. Putt

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

Dated: 10.16.01  
(Seal)

NO. 01-1099-CD Term

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE CORPORATION

vs.

HEATHER L. MERCURIO

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Costs

Office of the Prothonotary

Judg. Fee

Cr.  
Sat.

Frank J. Edermann  
Attorney for Plaintiff

Address: 15965 ARBOR VIEW BOULEVARD #726, NAPLES, FL 34110  
Where papers may be served.

ALL THAT CERTAIN piece or parcel of land situate, lying and being in the City of DeBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a post at a corner formed by the intersection of the Southwesterly line of an alley (first alley Southwesterly from Olivé Avenue) and the Northwesterly line of Pifer Street; thence South 31° West by line of said Pifer Street, 30 feet 6 inches to a post at corner of lot now or formerly of A. J. McElroy; thence Westerly by line of said McElroy lot, 150 feet to a post at an alley; thence in a Northerly direction by line of said alley, 50 feet to a post at the first mentioned alley; thence South 41° 15" East by line of said alley, 150 feet, more or less, to a post at Pifer Street, the place of beginning. Being known as Lot No. 115 and the Northerly part of Lot No. 116 as per M. S. Knarr's Addition to DuBois, Pennsylvania, which said plat is recorded at Clearfield, Pennsylvania in Miscellaneous Book V, Page 278.

TAX PARCEL #003-000-00768

TITLE TO SAID PREMISES IS VESTED IN Heather L. Mercurio by Deed from John R. Bross, and Kathleen A. Bross, husband and wife dated 8/1/1994, recorded 8/15/1994, in Deed Book Volume 1625, Page 288.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11665

GMAC MORTGAGE CORPORATION

01-1099-CD

VS.

MERCURIO, HEATHER L.

WRIT OF EXECUTION

REAL ESTATE

**SHERIFF RETURNS**

NOW, OCTOBER 31, 2001, RECEIVED A FAX FROM GREG WILKINS, ATTORNEY FOR THE PLAINTIFF, THAT DEFENDANTS HAVE FILED BANKRUPTCY, NO SALE DATE IS TO BE SET.

NOW, NOVEMBER 5, 2001, RETURN WRIT AS NO SALE HELD AS DEFENDANTS HAVE FILED BANKRUPTCY. PAID COSTS FROM ADVANCE AND MADE REFUND OF UNUSED ADVANCE TO THE ATTORNEY.

SHERIFF HAWKINS \$15.34

SURCHARGE \$20.00

PAID BY PLAINTIFF

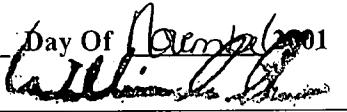
**FILED**

NOV 05 2001

03:50

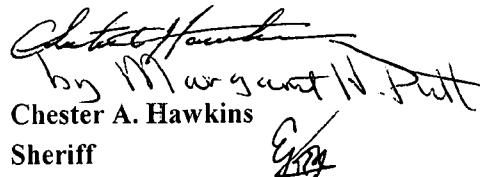
William A. Shaw  
Prothonotary

Sworn to Before Me This

5th Day Of November 2001  


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

So Answers,

  
Chester A. Hawkins  
Sheriff

  
Margaret N. Pitt

  
Greg

# REAL ESTATE SALE SCHEDULE OF DISTRIBUTION

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	12.35
LEVY	5.00
MILEAGE	12.35
POSTING	15.00

CSDS	10.00
COMMISSION 2%	.34
POSTAGE	4.08
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	1
ADD'L LEVY	
BID AMOUNT	
RETURNS/DEPUTIZE	
COPIES / BILLING	
BILLING - PHONE - FAX	

**TOTAL SHERIFF COSTS**

**DEED COSTS:**

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

**TOTAL DEED COSTS** \$

**DEBT & INTEREST:**

DEBT-AMOUNT DUE	\$ 56,319.22
INTEREST FROM 10-9-01 TO SALE DATE	
@\$9.26	TO BE ADDED
<b>TOTAL DEBT &amp; INTEREST</b>	<b>\$56,319.22</b>

**COSTS:**

ATTORNEY FEES	\$
PROTH. SATISFACTION	
ADVERTISING	
LATE CHARGES & FEES	\$
TAXES-Collector	
TAXES-Tax Claim	
COSTS OF SUIT-To Be Added	\$
LIST OF LIENS AND MORTGAGE SEARCH	
FORCLOSURE FEES /ESCROW DEFICIT	\$
ACKNOWLEDGEMENT	
DEED COSTS	
ATTORNEY COMMISSION	\$
SHERIFF COSTS	
LEGAL JOURNAL AD	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
PROTHONOTARY	\$ 15.34

**TOTAL COSTS** \$

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

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

ATTORNEY FOR PLAINTIFF

**GMAC MORTGAGE CORPORATION**

: CLEARFIELD County

Plaintiff

: Court of Common Pleas

vs.

: CIVIL DIVISION

**HEATHER L. MERCURIO**

: NO. 01-1099-CD

Defendant(s)

:

:

:

**PRAECIPE TO VACATE JUDGMENT**  
**WITHOUT PREJUDICE**

TO THE PROTHONOTARY:

Kindly vacate the Judgment which was entered on OCTOBER 9, 2001  
against HEATHER L. MERCURIO , Defendants, in the amount of \$56,319.22 relative  
to the instant matter, without prejudice, upon payment of your costs only.

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

Dated: MARCH 12, 2002

**FILED**

MAR 14 2002  
M 18591 nocc atty Fehman  
William A. Shaw 8 pd 5/10  
Prothonotary *W.A.S.*

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

GMAC MORTGAGE CORPORATION  
3451 HAMMOND AVENUE, P.O. BOX  
780  
WATERLOO, IA 50704

CLEARFIELD COUNTY  
COURT OF COMMON  
PLEAS  
CIVIL DIVISION  
NO. 01-1099-CD

**Defendant(s)**

TO THE DIRECTOR OF THE PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due \$ 103,954.12  
Interest from \_\_\_\_\_ and Costs  
3/16/02 TO (sale date)  
(per diem - \$17.09)

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 19 2002

1850 Wm. A. Shaw Prothonotary pd \$20.00  
6 Wm. A. Shaw

No. 01-1099-CD Term  
IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE CORPORATION

VS.

HEATHER L. MERCURIO

---

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Filed:



---

Attorney for Plaintiff

15965 ARBOR VIEW BOULEVARD #726  
NAPLES, FL 34110

Address:

Where papers may be served.

ALL THAT CERTAIN piece or parcel of land situate, lying and being in the City of DeBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a post at a corner formed by the intersection of the Southwesterly line of an alley (first alley Southwesterly from Olivé Avenue) and the Northwesterly line of Pifer Street; thence South  $31^{\circ}$  West by line of said Pifer Street, 30 feet 6 inches to a post at corner of lot now or formerly of A. J. McElroy; thence Westerly by line of said McElroy lot, 150 feet to a post at an alley; thence in a Northerly direction by line of said alley, 50 feet to a post at the first mentioned alley; thence South  $41^{\circ} 15''$  East by line of said alley, 150 feet, more or less, to a post at Pifer Street, the place of beginning. Being known as Lot No. 115 and the Northerly part of Lot No. 116 as per M. S. Knarr's Addition to DuBois, Pennsylvania, which said plat is recorded at Clearfield, Pennsylvania in Miscellaneous Book V, Page 278.

TAX PARCEL #003-000-00768

TITLE TO SAID PREMISES IS VESTED IN Heather L. Mercurio by Deed from John R. Bross, and Kathleen A. Bross, husband and wife dated 8/1/1994, recorded 8/15/1994, in Deed Book Volume 1625, Page 288.

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

GMAC MORTGAGE CORPORATION  
3451 HAMMOND AVENUE, P.O. BOX  
780  
WATERLOO, IA 50704

Plaintiff

vs.

HEATHER L. MERCURIO  
15965 ARBOR VIEW BOULEVARD  
#726  
NAPLES, FL 34110

Defendant(s)

: CLEARFIELD COUNTY

:

: COURT OF COMMON

: PLEAS

:

: CIVIL DIVISION

:

: NO. 01-1099-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: 310 PIFER STREET, DUBOIS, PA 15801  
(see attached legal description)

Amount Due \$ 103,954.12

Interest from \$ \_\_\_\_\_  
3/16/02 TO (sale date)  
(per diem - \$17.09)

Total \$ \_\_\_\_\_ Plus Costs as endorsed

Prothonotary costs: \$ 231.49

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

Dated: 3/19/02  
(Seal)

NO. 01-1099-CD Term

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE CORPORATION

vs.

HEATHER L. MERCURIO

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Costs

Office of the Prothonotary

Judg. Fee

Cr.

Sat.

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

15965 ARBOR VIEW BOULEVARD #726  
NAPLES, FL 34110

Address:

Where papers may be served.

ALL THAT CERTAIN piece or parcel of land situate, lying and being in the City of DeBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a post at a corner formed by the intersection of the Southwesterly line of an alley (first alley Southwesterly from Olivé Avenue) and the Northwesterly line of Pifer Street; thence South 31° West by line of said Pifer Street, 30 feet 6 inches to a post at corner of lot now or formerly of A. J. McElroy; thence Westerly by line of said McElroy lot, 150 feet to a post at an alley; thence in a Northerly direction by line of said alley, 50 feet to a post at the first mentioned alley; thence South 41° 15" East by line of said alley, 150 feet, more or less, to a post at Pifer Street, the place of beginning. Being known as Lot No. 115 and the Northerly part of Lot No. 116 as per M. S. Knarr's Addition to DuBois, Pennsylvania, which said plat is recorded at Clearfield, Pennsylvania in Miscellaneous Book V, Page 278.

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

Attorney for Plaintiff

GMAC MORTGAGE CORPORATION : CLEARFIELD COUNTY  
3451 HAMMOND AVENUE, P.O. BOX 780 : COURT OF COMMON PLEAS  
WATERLOO, IA 50704 : CIVIL DIVISION  
vs.  
HEATHER L. MERCURIO : NO. 01-1099-CD  
15965 ARBOR VIEW BOULEVARD #726  
NAPLES, FL 34110

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

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against  
HEATHER L. MERCURIO, 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	\$102,263.96
Interest - 1/1/02 TO 3/15/02	<u>\$ 1,690.16</u>
TOTAL	\$103,954.12

I hereby certify that (1) the addresses of the Plaintiff and  
Defendant(s) are as shown above, and (2) that 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: 3.19.02

  
PRO PROTHY

**FILED**

MAR 19 2002

10/3/20/02 Federman  
10/3/20/02 William A. Shaw pd \$2000  
10/3/20/02 Prothonotary  
10/3/20/02 Not to D  
10/3/20/02 Stad. to Atty.

FEDERMAN AND PHELAN  
BY: FRANK FEDERMAN, ESQUIRE  
Identification No. 12248  
1617 John F. Kennedy Boulevard Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Attorney for Plaintiff

GMAC MORTGAGE CORPORATION : COURT OF COMMON PLEAS  
Plaintiff : CIVIL DIVISION  
vs. : CLEARFIELD COUNTY  
HEATHER L. MERCURIO : NO. 01-1099-CD  
Defendant(s)

TO: HEATHER L. MERCURIO  
15965 ARBOR VIEW BOULEVARD, #726  
NAPLES, FL 34110

DATE OF NOTICE: SEPTEMBER 18, 2001

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

IMPORTANT NOTICE

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

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

---

Frank Federman, Esquire  
Attorney for Plaintiff

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

Attorney for Plaintiff

GMAC MORTGAGE CORPORATION

: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS  
: CIVIL DIVISION  
: NO. 01-1099-CD

vs.

HEATHER L. MERCURIO

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 HEATHER L. MERCURIO is over 18 years of age and resides at 15965 ARBOR VIEW BOULEVARD #726, NAPLES, FL 34110.

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



FRANK FEDERMAN, ESQUIRE

**COPY**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

GMAC MORTGAGE CORPORATION

)  
) NO. 01-1099-CD

Plaintiff

vs.

HEATHER L. MERCURIO

)  
)

Defendants

Notice is given that a Judgment in the above-captioned matter has been entered against you on March 19, 2002.

By: William L. Shan DEPUTY

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

FRANK FEDERMAN, ESQUIRE

Attorney for Party Filing  
One Penn Center at Suburban  
Station, Suite 1400  
Philadelphia, PA 19103  
(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, THIS IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.

**COPY**

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

GMAC Mortgage Corporation  
Plaintiff(s)

No.: 2001-01099-CD

Real Debt: \$103,954.12

Atty's Comm:

Vs. Costs: \$

Int. From:

Heather L. Mercurio  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: March 19, 2002

Expires: March 19, 2007

Certified from the record this 19th of March, 2002

---

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

FEDERMAN AND PHELAN, L.L.P  
By: Frank Federman, Esquire  
Identification No. 12248  
Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103

Attorney for Plaintiff

GMAC MORTGAGE CORPORATION

v.

COURT NO.:01-1099 CD  
COUNTY OF CLEARFIELD

HEATHER L. MERCURIO

**WAIVER OF INTEREST IN MORTGAGED PREMISES  
BY RESIDENTIAL LESSEE WITH OPTION TO PURCHASE**

In consideration for not being named as Defendants in the captioned foreclosure action, the undersigned, RICK P. BUZARD and SHERRY M. BUZARD, hereby waive any and all interest they may have in the premises located at 310 PIFER STREET, DUBOIS, PA 15801, by virtue of that certain Residential Lease with Option to Purchase dated August 9, 2000 and recorded August 30, 2000 in the office of the Recorder of Clearfield County, at No. 200012661, and hereby consent to legal action without any further notice of Sheriff's sale.

It is expressly agreed that their interest in the premises shall be divested at Sheriff's sale.

Date: 3-7-02

Rick P. Buzard  
Rick P. Buzard

Date: 3-7-02

Sherry M. Buzard  
Sherry M. Buzard

\* This firm is a debt collector. Any information we receive will be used for that purpose.

**FILED**

MAR 19 2002

111-3561402  
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

GMAC MORTGAGE CORPORATION

vs.

HEATHER L. MERCURIO

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

CLEARFIELD COUNTY

No.: 01-1099-CD

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

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

1. Attempts to serve Defendant with Notice of Sale have been unsuccessful, as indicated by the Affidavit of Service attached hereto as Exhibit "A."
2. Pursuant to Pennsylvania Rule of Civil Procedure 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Good Faith Investigation setting forth the specific inquiries made and the result there from is attached hereto as Exhibit "B."

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

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

**FILED**

JUN 06 2002

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

GMAC MORTGAGE CORPORATION

vs.

HEATHER L. MERCURIO

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION  
CLEARFIELD COUNTY

No.: 01-1099-CD

**MEMORANDUM OF LAW**

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

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

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

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

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

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

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

Respectfully submitted:

  
Frank Federman  
FRANK FEDERMAN, ESQUIRE  
ATTORNEY FOR PLAINTIFF

## AFFIDAVIT OF SERVICE

Commonwealth of Pennsylvania

County of Clearfield

Common Pleas Court

Case Number: 01-1099-CD

Court Date: 6/7/2002

Plaintiff:

**GMAC MORTGAGE CORPORATION**

vs.

Defendant:

**HEATHER L. MERCURIO**

For:

Frank Federman, Esq  
FEDERMAN AND PHELAN  
One Penn Center Plaza  
1617 Jfk Blvd, Ste 1400  
Philadelphia PA 19103

## EXHIBIT A

Received by SHERMAN & ASSOCIATES, INC. on the 5th day of April, 2002 at 10:12 am to be served on **HEATHER L. MERCURIO, 15965 Arbor View Boulevard #726, Naples, FL 34110.**

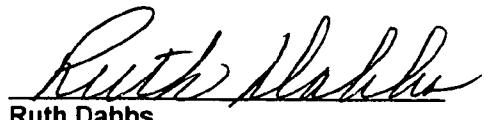
I, Ruth Dabbs, being duly sworn, depose and say that on the **18th day of April, 2002 at 9:00 am**, I:

NON SERVED the **NOTICE OF SHERIFF'S SALE OF REAL ESTATE** at the request of the client. See comments below.

**Comments pertaining to this Service:**

Information was developed that Heather L. Mercurio skipped out owing rent to Arbor View Apartments on 05/15/01.

I certify that I am over the age of 18, have no interest in the above action and that I am authorized by Florida Statute to serve this process.



Ruth Dabbs

Subscribed and Sworn to before me on the 23rd day of April, 2002 by the affiant who is personally known to me.



Mariah A. McEvers  
NOTARY PUBLIC



**SHERMAN & ASSOCIATES, INC.**  
Post Office Box 1300  
Fort Myers, FL 33902-1300  
(941) 437-9600

Our Job Serial Number: 2002000879

**EXHIBIT D**

**SKN Data Research Inc.**  
**AFFIDAVIT OF GOOD FAITH INVESTIGATION**

File Number: **2-1888PA**

Attorney Firm: **Federman & Phelan**

Subject: **Heather L. Mercurio**

Current Address: 15965 Arbor View Blvd #726 Naples, FL 34110

Property Address: 310 Pifer St. Dubois, PA 15801

Mailing Address: 15965 Arbor View Blvd #726 Naples, FL 34110

**I Scott Nulty, being duly sworn according to law, do hereby depose and state as follows, I have conducted an investigation into the whereabouts of the above-noted individual(s) and have discovered the following:**

**I. CREDIT INFORMATION**

**A. SOCIAL SECURITY NUMBER**

**Heather L. Mercurio - 042-62-8730**

**B. EMPLOYMENT SEARCH**

**Heather L. Mercurio - unknown**

**C. INQUIRY OF CREDITORS**

**The creditors indicate that Heather L. Mercurio reside(s) at:**

**15965 Arbor View Blvd #726 Naples, FL 34110**

**II. INQUIRY OF TELEPHONE COMPANY**

**A. DIRECTORY ASSISTANCE SEARCH**

**Indicated that Heather L. Mercurio reside(s) at:**

**15965 Arbor View Blvd #726 Naples, FL 34110 - 814-371-1673**

**III. INQUIRY OF NEIGHBORS**

**J. Hubba 312 Pifer St. and he verified that Heather L. Mercurio**

**reside(s) at: 15965 Arbor View Blvd #726 Naples, FL 34110**

**IV. INQUIRY OF POST OFFICE**

**A. NATIONAL ADDRESS UPDATE**

**Heather L. Mercurio - 15965 Arbor View Blvd #726 Naples, FL 34110**

**V. MOTOR VEHICLE REGISTRATION**

**A. MOTOR VEHICLE & DMV OFFICE**

**Per the Department of Motor Vehicle Heather L. Mercurio reside(s) at:**

**15965 Arbor View Blvd #726 Naples, FL 34110**

**VI. OTHER INQUIRIES**

**A. DEATH RECORDS**

**As of April 1, 2002 Vital Records has no death record on file for Heather L. Mercurio.**

**B. PUBLIC LICENSES (PILOT, REAL ESTATE, ETC.)**

**none**

**EXHIBIT D**

**EXHIBIT B**

C. COUNTY VOTER REGISTRATION

**The Clearfield County Voter registration has no registration for Heather L. Mercurio residing at: 15965 Arbor View Blvd #726 Naples, FL 34110**

VII. ADDITIONAL INFORMATION OF SUBJECT

A. DATE OF BIRTH

**Heather L. Mercurio - YOB 1962**

B. A.K.A.

**none**

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.

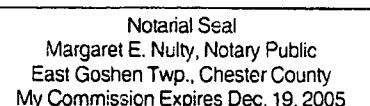
I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

Scott K. Nulty

AFFIANT Scott Nulty  
SKN Data Research Inc. President

Sworn to and subscribed before me this 28<sup>th</sup> day of May 2002

Margaret E. Nulty  
NOTARY PUBLIC



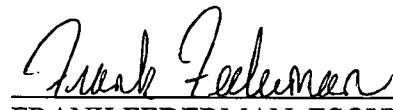
Member, Pennsylvania Association Of Notaries

**EXHIBIT B**

**VERIFICATION**

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

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

  
Frank Federman  
FRANK FEDERMAN, ESQUIRE  
ATTORNEY FOR PLAINTIFF

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

GMAC MORTGAGE CORPORATION

vs.

HEATHER L. MERCURIO

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

CLEARFIELD COUNTY

No.: 01-1099-CD

**CERTIFICATION OF SERVICE**

I, FRANK FEDERMAN, ESQUIRE, hereby certify that a copy of the Motion for Service  
Pursuant to Special Order of Court has been sent to the individuals indicated below on  
June 5, 2002.

HEATHER L. MERCURIO  
15965 ARBOR VIEW BOULEVARD #726  
NAPLES, FL 34110

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

Date: June 5, 2002

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

GMAC MORTGAGE CORPORATION

vs.

HEATHER L. MERCURIO

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

CLEARFIELD COUNTY

No.: 01-1099-CD

**ORDER**

AND NOW, this 6<sup>th</sup> day of June, 2002, 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), HEATHER L. MERCURIO, 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**

JUN 07 2002

0/10:am  
William A. Shaw  
Prothonotary

2 copy to Atty,

GRB

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

ATTORNEY FOR PLAINTIFF

GMAC MORTGAGE CORPORATION  
vs.

HEATHER L. MERCURIO

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
CIVIL DIVISION

NO. 01-1099-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) HEATHER L. MERCURIO on JUNE 24, 2002 at 310 PIFER STREET, DUBOIS, PA 15801, in accordance with the Order of Court dated, JUNE 6, 2002

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: July 15, 2002

**FILED**

JUL 19 2002  
m/24/02 NOCC  
William A. Shaw  
Pfethnotary

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

GMAC MORTGAGE CORPORATION

vs.

HEATHER L. MERCURIO

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

CLEARFIELD COUNTY

No.: 01-1099-CD

**ORDER**

AND NOW, this 6 day of June, 2002, 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), HEATHER L. MERCURIO, 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:

/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.

JUN 07 2002

Attest.

  
Prothonotary/  
Clerk of Courts

7160 3901 9844 8594 3698

**TO:** HEATHER MERCURIO  
3822 SNOWFLAKE LANE  
NAPLES, FL 34110

**SENDER:** TEAM2  
**REFERENCE:** MERCURIO

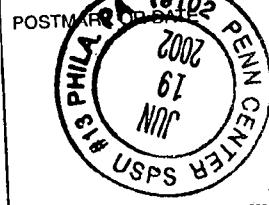
PS Form 3800, June 2000

RETURN RECEIPT SERVICE	Postage	.34
	Certified Fee	2.10
	Return Receipt Fee	1.50
	Restricted Delivery	3.20
	Total Postage & Fees	7.14

US Postal Service

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



## AFFIDAVIT OF SERVICE

PLAINTIFF

GMAC MORTGAGE CORPORATION

Clefield  
ALLEGHENY COUNTY  
No. GD 01-1099-CD

DEFENDANT (S)

HEATHER L. MERCURIO

Type of Action  
- Notice of Sheriff's Sale

SERVE AT

310 PIFER STREET  
DUBOIS, PA 15801

Sale Date: AUGUST 2, 2002

→ "Please post the Property with the Notice of Sale"

### SERVED

Served and made known to \_\_\_\_\_, Defendant, on the 24<sup>th</sup> day  
of JUNE, 2002 at 6, o'clock p.m. at 310 PIFER STREET DUBOIS, PA 15801.

Commonwealth of Pennsylvania, in the manner described below:

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

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

I, MATTHEW BRENNAN, 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 20<sup>th</sup> day  
of June, 2002

Notary: DEBRA L. GENET

By:

### NOT SERVED

### \*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

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

\_\_\_\_\_ Moved \_\_\_\_\_ Unknown \_\_\_\_\_ No Answer \_\_\_\_\_ Vacant \_\_\_\_\_

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

1st attempt \_\_\_\_\_, 2nd attempt \_\_\_\_\_, 3rd attempt \_\_\_\_\_

Date & Time \_\_\_\_\_

Date & Time \_\_\_\_\_

Date & Time \_\_\_\_\_

**FILED**

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

Notary:

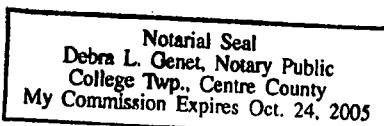
By:

Loan #306641080

Attorney for Plaintiff

Frank Federman, Esquire - I.D. No. 12248  
One Penn Center at Suburban Station- Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

JUL 19 2002  
m12A31ncc  
William A. Shaw  
Prothonotary



FEDERMAN AND PHELAN  
ATTORNEY FILE COPY  
PLEASE RETURN

### AFFIDAVIT OF SERVICE

**PLAINTIFF****GMAC MORTGAGE CORPORATION****ALLEGHENY COUNTY**  
**No. GD 01-1099-CD****DEFENDANT (S)****HEATHER L. MERCURIO****Type of Action**  
• Notice of Sheriff's Sale**SERVE AT****310 PIPER STREET  
DUBOIS, PA 15801****Sale Date: AUGUST 2, 2002**

→ **Please post the Property with the Notice of Sale**

**SERVED**

Served and made known to \_\_\_\_\_, Defendant, on the 24<sup>th</sup> day  
of JUNE, 2002 at 6, o'clock p.m. at 310 PIPER STREET DUBOIS, PA 15801.

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.  
Adult family member with whom Defendant(s) resides(s). Relationship is \_\_\_\_\_.  
Adult in charge of Defendant(s)'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)'s office or usual place of business.  
an officer of said Defendant(s)'s company.  
Other: \_\_\_\_\_

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

I, MATTHEW BRENNAN, 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 20<sup>th</sup> day  
of June, 2002

Notary: DEBRA L. GENET

M. Brennan

By:

**NOT SERVED****\*\*\*ATTEMPT SERVICE NOT THREE (3) TIMES\*\*\***

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

\_\_\_\_ Moved \_\_\_\_\_ Unknown \_\_\_\_\_ No Answer \_\_\_\_\_ Vacant \_\_\_\_\_

Other:

1st attempt \_\_\_\_\_, 2nd attempt \_\_\_\_\_, 3rd attempt \_\_\_\_\_  
Date & Time \_\_\_\_\_ Date & Time \_\_\_\_\_

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

Notary:

By:

Loan #306641080

Attorney for Plaintiff

Frank Federman, Esquire - J.D. No. 12248  
One Penn Center at Suburban Station- Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

FEDERMAN AND PHELAN  
ATTORNEY FILE COPY  
PLEASE RETURN

FEDERMAN AND PHELAN  
ATTORNEY FILE COPY  
PLEASE RETURN

Notarial Seal  
Debra L. Genet, Notary Public  
College Twp., Centre County  
My Commission Expires Oct. 24, 2005

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

RE: GMAC MORTGAGE CORPORATION ) CIVIL ACTION  
 )

vs.

HEATHER L. MERCURIO ) CIVIL DIVISION  
 ) NO. 01-1099-CD

**AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129**

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD ) SS:

I, FRANK FEDERMAN, ESQUIRE attorney for GMAC MORTGAGE  
CORPORATION hereby verify that on 4/1/02 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 4/1/02, 6/12/02, 6/14/02 & 6/19/02 by certified mail return receipt  
requested see Exhibit "B" attached hereto.

DATE: August 1, 2002

  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

**FILED**

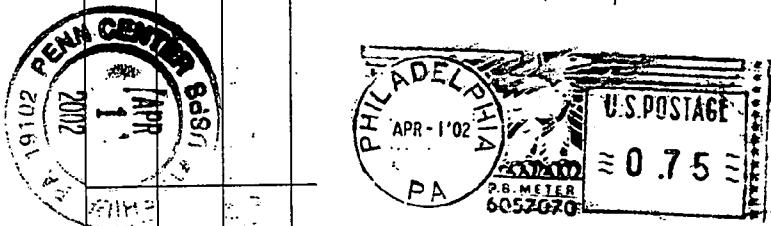
AUG 08 2002  
m/13/1 noc  
William A. Shaw  
Prothonotary

oName 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 310 PIFER STREET DUBOIS, PA 15801		
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				
5				
6				
7				
8				
9				
10.				
11.		MERCURIO		
Total Number of Pieces Listed by Sender		Postmaster, Per (Name of Receiving Employee)		
3	TEAM 2			



תל 03901 9844 8597 2421

תל 03901 9844 7040 6214

**TO:** HEATHER L. MERCURIO  
15965 ARBOR VIEW BLVD.  
#726  
NAPLES, FL 34110

**TO:** HEATHER L. MERCURIO  
15965 ARBOR VIEW BOULEVARD  
#726  
NAPLES, FL 34110

**SENDER:** TEAM2

**REFERENCE:** MERCURIO

PS Form 3800, June 2000

RETURN RECEIPT SERVICE	Postage	.34
	Certified Fee	2.10
	Return Receipt Fee	1.50
	Restricted Delivery	3.20
	Total Postage & Fees	7.4

US Postal Service

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



**SENDER:** TEAM2

**REFERENCE:** MERCURIO

PS Form 3800, June 2000

RETURN RECEIPT SERVICE	Postage	.34
	Certified Fee	2.10
	Return Receipt Fee	1.50
	Restricted Delivery	3.20
	Total Postage & Fees	7.14

US Postal Service

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



7760 Э901 9844 8594 Э698

**TO:** HEATHER MERCURIO  
3822 SNOWFLAKE LANE  
NAPLES, FL 34110

**SENDER:** TEAM2  
**REFERENCE:** MERCURIO

PS Form 3800, June 2000

Postage	.34
Certified Fee	2.10
Return Receipt Fee	1.50
Restricted Delivery	3.20
<b>Total Postage &amp; Fees</b>	<b>7.14</b>



TO: HEATHER MERCURIO  
310 PIFER STREET  
DUBOIS, PA 15801

**REFERENCE:** MERCURIO

PS Form 3800, June 2000

RETURN RECEIPT SERVICE	Postage	.34
Certified Fee		2.10
Return Receipt Fee		1.50
Restricted Delivery		3.20
Total Postage & Fees		7.14



**No Insurance Coverage Provided  
Do Not Use for International Mail**

Receipt of  
Certified Mail

**No Insurance Coverage Provided  
Do Not Use for International Mail**

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

**Sheriff Docket # 12277**

**GMAC MORTGAGE CORPORATION**

**01-1099-CD**

**VS.**

**MERCURIO, HEATHER L.**

**WRIT OF EXECUTION REAL ESTATE**

**SHERIFF RETURNS**

---

**NOW, MARCH 25, 2002, AT 11:30 AM O'CLOCK A LEVY WAS TAKEN ON PROPERTY  
OF THE DEFENDANT. PROPERTY WAS POSTED THIS DATE.**

**A SALE IS SET FOR FRIDAY, JUNE 7, 2002, AT 10:00 AM.**

**NOW, MARCH 25, 2002, MAILED WRIT OF EXECUTION, NOTICE OF SALE AND COPY  
OF LEVY TO HEATHER L. MERCURIO, DEFENDANT, AT HER PLACE OF  
RESIDENCE, 15965 ARBOR VIEW BOULEVARD, NAPLES, FLORIDA, 34110, BY  
REGULAR AND CERTIFIED MAIL #7001 1940 0001 9405 9819.**

**NOW, JUNE 3, 2002, CALLED CLEARFIELD POST OFFICE FOR A TRACE ON THE  
CERTIFIED LETTER AS WE HAVE NOT RECEIVED ANY CONFIRMATION ON  
SERVICE.**

**NOW, JUNE 3, 2002, PER POST OFFICE THE CERTIFIED IS NOT IN THE SYSTEM.  
CALLED GREG WILKINS AT FEDERMAN AND PHELAN, ATTORNEY'S FOR THE  
PLAINTIFF AND INFORMED HIM OF THIS.**

**NOW, JUNE 5, 2002 RECEIVED FAX FROM PLAINTIFF ATTORNEY TO CONTINUE  
SALE TO AUGUST 2, 2002.**

**NOW, AUGUST 2, 2002 A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANT,  
HEATHER L. MERCURIO. PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR  
\$1.00 + COSTS.**

**NOW AUGUST 12, 2002 BILLED ATTORNEY FOR THE AMOUNTS OF COSTS DUE.**

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12277

GMAC MORTGAGE CORPORATION

01-1099-CD

VS.

MERCURIO, HEATHER L.

WRIT OF EXECUTION REAL ESTATE

**SHERIFF RETURNS**

---

NOW, SEPTEMBER 13, 2002 RECEIVED CHECK FROM ATTORNEY FOR COSTS DUE.

NOW, OCTOBER 18, 2002 PAID COSTS FROM ATTORNEY ADVANCE AND CHECK.

NOW, OCTOBER 25, 2002 RETURNED WRIT AS SALE BEING HELD. PROPERTY PURCHASED BY THE PLAINTIFF FOR \$1.00 + COSTS.

DEED FILED OCTOBER 25, 2002.

SHERIFF HAWKINS \$214.31

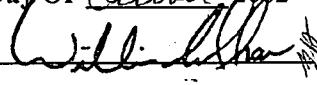
SURCHARGE \$20.00

PAID BY ATTORNEY

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Sworn to Before Me This

25 Day Of October 2002



So Answers,

  
By Cynthia Butler-Aughercay  
**Chester A. Hawkins**  
**Sheriff**

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME      MERCURIO      NO.      01-1099-CD

NOW,      August 2, 2002      , 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      2ND      day of      AUGUST      2002, I exposed the within described real estate of      HEATHER L. MERCURIO      to public venue or outcry at which time and place I sold the same to      GMAC 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	12.35
LEVY	15.00
MILEAGE	12.35
POSTING	15.00
CSDS	10.00
COMMISSION 2%	
POSTAGE	8.61
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES/BILLING	15.00
	5.00
BILLING/PHONE/FAX	5.00
<b>TOTAL SHERIFF COSTS</b>	<b>214.31</b>

**DEED COSTS:**

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	18.50
TRANSFER TAX 2%	
<b>TOTAL DEED COSTS</b>	<b>18.50</b>

**DEBIT & INTEREST:**

DEBT-AMOUNT DUE	103,954.12
INTEREST FROM 3/16/02 TO SALE DATE	
TO BE ADDED      PER DIEM &17.09	
<b>TOTAL DEBT &amp; INTEREST</b>	<b>103,954.12</b>
COSTS:	
ATTORNEY FEES	
PROTH. SATISFACTION	
ADVERTISING	628.80
LATE CHARGES & FEES	
TAXES - collector	411.06
TAXES - tax claim	NONE
DUE	
COST OF SUIT -TO BE ADDED	
LEIN SEARCH	100.00
FORCLOSURE FEES/ESCROW DEFICIT	
ACKNOWLEDGEMENT	5.00
DEED COSTS	18.50
ATTORNEY COMMISSION	
SHERIFF COSTS	214.31
LEGAL JOURNAL AD	76.50
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
PROTHONOTARY	
MORTGAGE SEARCH	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
MUNICIPAL LIEN	
<b>TOTAL COSTS</b>	<b>1,725.86</b>

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

CHESTER A. HAWKINS, Sheriff

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

GMAC MORTGAGE CORPORATION  
3451 HAMMOND AVENUE, P.O. BOX  
780  
WATERLOO, IA 50704

**Plaintiff**

vs.

HEATHER L. MERCURIO  
15965 ARBOR VIEW BOULEVARD  
#726  
NAPLES, FL 34110

**Defendant(s)**

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

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

Premises: 310 PIFER STREET, DUBOIS, PA 15801  
(see attached legal description)

Amount Due	\$ 103,954.12
Interest from 3/16/02 TO (sale date) (per diem - \$17.09)	\$ _____
Total	\$ _____ Plus Costs as endorsed
Prothonotary Costs:	5 231.69

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

Dated: 3/19/02  
(Seal)

RECEIVED MAR 19 2002

④ 9:03 AM  
Chester A. Hartung  
by Margaret N. Putt

NO. 01-1099-CD Term

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE CORPORATION

vs.

HEATHER L. MERCURIO

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

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Costs

Office of the Prothonotary

Judg. Fee

Cr.

Sat.



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Heather L. Mercurio

Attorney for Plaintiff

Address:

15965 ARBOR VIEW BOULEVARD #726  
NAPLES, FL 34110

Where papers may be served.

ALL THAT CERTAIN piece or parcel of land situate, lying and being in the City of DeBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a post at a corner formed by the intersection of the Southwesterly line of an alley (first alley Southwesterly from Olivé Avenue) and the Northwesterly line of Pifer Street; thence South 31° West by line of said Pifer Street, 30 feet 6 inches to a post at corner of lot now or formerly of A. J. McElroy; thence Westerly by line of said McElroy lot, 150 feet to a post at an alley; thence in a Northerly direction by line of said alley, 50 feet to a post at the first mentioned alley; thence South 41° 15" East by line of said alley, 150 feet, more or less, to a post at Pifer Street, the place of beginning. Being known as Lot No. 115 and the Northerly part of Lot No. 116 as per M. S. Knarr's Addition to DuBois, Pennsylvania, which said plat is recorded at Clearfield, Pennsylvania in Miscellaneous Book V, Page 278.

TAX PARCEL #003-000-00768

TITLE TO SAID PREMISES IS VESTED IN Heather L. Mercurio by Deed from John R. Bross, and Kathleen A. Bross, husband and wife dated 8/1/1994, recorded 8/15/1994, in Deed Book Volume 1625, Page 288.