

BANK OF NEW YORK -vs- M. CHRISTINE LYNN et al

Richard M. Squire
I.D. No.
Richard M. Squire & Associates, LLC.
One Jenkintown Station, Suite 104
115 West Avenue
Jenkintown, Pa 19046
Telephone: 215-886-8790
Fax: 215-886-8791
Attorneys for Plaintiff

The Bank of New York as trustee under the
Pooling and Servicing Agreement dated as of
February 28, 1998, series 1998-A,

PLAINTIFF,

v.

M. Christine Lynn
Robert E Lynn
1331 Treasure Lake
Dubois, PA 15801

DEFENDANTS.

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

NO: 01-1814-CD

CIVIL ACTION

MORTGAGE FORECLOSURE

**COMPLAINT - CIVIL ACTION
NOTICE TO DEFEND**

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 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 of 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.

Lawyer Referral Service
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186, Harrisburg 17108
(800) 692-7375

FILED

NOV 02 2001

William A. Shaw
Prothonotary

AVISO

LE HAN DEMANDADO A USTED EN LA CORTE. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus edades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO VAYA EN PERSONA O LLAME POR TELFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTANCIA LEGAL.

**Lawyer Referral Service
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186, Harrisburg 17108
(800) 692-7375**

Richard M. Squire
I.D. No.
Richard M. Squire & Associates, LLC.
One Jenkintown Station, Suite 104
115 West Avenue
Jenkintown, Pa 19046
Telephone: 215-886-8790
Fax: 215-886-8791
Attorneys for Plaintiff

The Bank of New York as trustee under the
Pooling and Servicing Agreement dated as of
February 28,1998, series 1998-A,

PLAINTIFF,

v.

M. Christine Lynn
Robert E Lynn
1331 Treasure Lake
Dubois, PA 15801

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

NO:

CIVIL ACTION

MORTGAGE FORECLOSURE

DEFENDANTS.

COMPLAINT IN MORTGAGE FORECLOSURE

Plaintiff, The Bank of New York as trustee under the Pooling and Servicing Agreement dated as of February 28,1998, series 1998-A, through its attorney, Richard M. Squire, brings this action in mortgage foreclosure upon the following cause of action:

1. Plaintiff, The Bank of New York as trustee under the Pooling and Servicing Agreement dated as of February 28,1998, series 1998-A ("Plaintiff"), is a corporation with a principal place of business at c/o Rosicki, Rosicki & Associates 245 Long Branch Road, Long Island, NY 10014.

2. The Name and mailing address of each Defendant is :

M. Christine Lynn, 1331 Treasure Lake , Dubois, PA 15801.

Robert Lynn, 1331 Treasure Lake, Dubois, PA 15801.

3. On January 21, 1998 M. Christine Lynn and Robert E. Lynn made, executed and delivered a mortgage upon the premises hereinafter described to TMS Mortgage Inc., d/b/a The Money Store, which mortgage is recorded in the Office of the Recorder of Clearfield County, in Mortgage Book No. 2340, Page 348.
4. Plaintiff is, therefore, either the original Mortgagee named in the Mortgage, the legal successor in interest to the original mortgagee, or is the present holder of the Mortgage by virtue of the above-described assignments.
5. Each Mortgagor named in paragraph 3 above executed a note as evidence of the debt secured by the Mortgage (the "Note"), and is incorporated herein by reference as though fully set forth at length.
6. The real property which is subject to the Mortgage is generally known as 1331 Treasure Lake, Dubois, PA 15801 (the "Mortgaged Premises"). The legal description of the Mortgaged Premises is attached hereto and marked as Exhibit "A" and is incorporated herein by reference as though fully set forth at length.
7. The interest of each individual Defendant is as Mortgagor, Real Owner or both.
8. If any Defendant above-named is deceased, this action shall proceed against the deceased Defendant's heirs, assigns, successors, administrators, personal representatives and/or executors through his/her estate, however, the estate of said Defendant is hereby released from liability for the debt secured by the Mortgage.

9. The Mortgage is in default because the monthly payment of principal and interest and other charges stated below, all as authorized by the Mortgage, are due as of 05/01/2001 and have not been paid. Upon failure to make such payments when due, the whole of the principal, together with the charges specifically itemized below, are immediately due and payable.

The following amounts are due as of October 31, 2001:

Principal of Mortgage debt due and unpaid	\$50,339.05
Interest due and owing from 04/01/2001 to 10/31/01 at 10.25%, \$14.14 per diem	2,898.70
Plus Late Charges of \$22.99 per month, assessed on the 16 th day after payment is due	22.99
Corporate Advance	661.58
Escrow Advance	1,188.94
Attorney's Fees	2,516.95
TOTAL	<u>\$ 57,628.21</u>

10. Interest accrues at a per diem rate of \$14.14 and late charges accrue at a monthly rate of \$22.99, assessed on the 16th day payment is past due for each date after the payment due date, and Plaintiff may incur additional attorney's fees and costs as well as other expenses, costs and charges collectable under the Note and Mortgage.

11. Notice of intention to Foreclose pursuant to 41 P.S. § 403 and Notice pursuant to the Homeowner's Emergency Mortgage Assistance Act of 1983, 35 P.S. § 1680.402c, et seq. was mailed to each individual Defendant via regular and certified mail, return receipt requested, on 08/30/2001. A true and correct copy of said notice is attached hereto and marked as Exhibit "B" and is incorporated herein by reference as though fully set forth at length.

WHEREFORE, Plaintiff demands judgment against Defendants, for foreclosure and sale of the Mortgaged Premises in the amounts due as set forth in paragraph 09, namely \$57,628.21 plus the following amounts accruing after 10/31/01, to the date of judgment : (i) interest at a per diem rate of \$14.14; (ii) late charges of \$22.99 per month assessed on the 16th day payment is past due; and (iii) additional attorney's fees hereafter incurred and costs of suit.

RICHARD M. SQUIRE & ASSOCIATES, LLC

By:

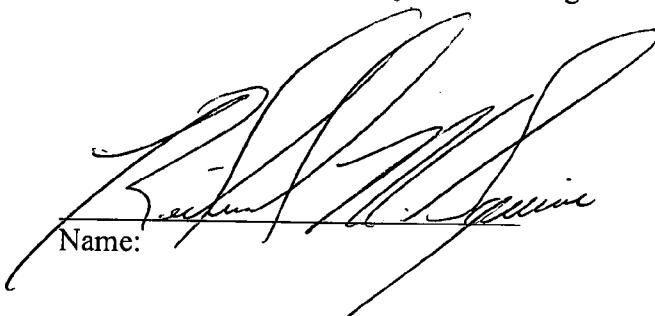
Richard M. Squire
One Jenkintown Station, Suite 104
115 West Avenue
Jenkintown, PA 19046
215-886-8790
Attorneys for Plaintiff

Date: October 25, 2001

UNLESS YOU NOTIFY US IN WRITING WITHIN THIRTY (30) DAYS AFTER RECEIPT OF THIS LETTER THAT THE DEBT, OR ANY PART OF IT, IS DISPUTED, WE WILL ASSUME THAT THE DEBT IS VALID. IF YOU DO NOTIFY US OF A DISPUTE, WE WILL OBTAIN VERIFICATION OF THE DEBT AND MAIL IT TO YOU. ALSO UPON YOUR WRITTEN REQUEST WITHIN THIRTY (30) DAYS, WE WILL PROVIDE YOU WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR IF DIFFERENT FROM THE CURRENT CREDITOR. THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

VERIFICATION

I, Richard M. Squire, hereby certify that I am an attorney for Plaintiff and am authorized to make this verification on its behalf. I verify that the facts and statements set forth in the foregoing Complaint in Mortgage Foreclosure are true and correct to the best of my knowledge, information and belief. This Verification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Name: 

Date: October 25, 2001

DESCRIPTION

ALL THAT CERTAIN tract of land designated as Lot No. 791, Section NO. 15, "Bimini" in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25.

EXCEPTING AND RESERVING THEREFROM AND SUBJECT TO: 1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan. 2. The Declaration of Restrictions, Treasure Lake, Inc., recorded in Misc. Book Volume 146, Page 476; all of said restrictions being covenants, which run with the land. 3. All minerals and mining rights of every kind and nature. 4. A lien for all unpaid charges or assessments as may be made by Grantors or Treasure Lake Property Owners Association, Inc., which lien shall run with the land and be an encumbrance against it.

exhibit "A"



DF985

ROBERT E LYNN

**8918 TROWBRIDGE WAY
HUBER HEIGHTS, OH 45424-7058**

August 30, 2001

NBRC 0080837552

ACT 91 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

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

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

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

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

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

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

HOMEOWNERS NAME(S): **ROBERT E LYNN**
PROPERTY ADDRESS: **1331 TREASURE LAKE
DUBOIS, PA 15801**

LOAN ACCOUNT NUMBER: **0080837552** *(B)*
exhibit



DF985

M CHRISTINE LYNN

**8918 TROWBRIDGE WAY
HUBER HEIGHTS, OH 45424-7058**

August 30, 2001

NBRC 0080837552

ACT 91 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

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

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

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

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

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

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

HOMEOWNERS NAME(S):
PROPERTY ADDRESS:

**M CHRISTINE LYNN
1331 TREASURE LAKE
DUBOIS, PA 15801**

LOAN ACCOUNT NUMBER:

0080837552

CURRENT LENDER/SERVICER: **HomEq Servicing Corporation**
IMPORTANT INFORMATION ON THE BACK OF THIS PAGE

HOMEOWNERS' EMERGENCY MORTGAGE ASSISTANCE PROGRAM

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

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

- **IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,**
- **YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND**
- **IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.**

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

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

APPLICATION FOR MORTGAGE ASSISTANCE- Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default). If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Fund. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a completed application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting.

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

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

NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT. (If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)

IMPORTANT INFORMATION CONTINUED ON NEXT PAGE

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

NATURE OF THE DEFAULT - The MORTGAGE debt held by the above lender on your property located at

1331 TREASURE LAKE DUBOIS, PA 15801 DUBOIS PA 15801

IS SERIOUSLY IN DEFAULT because:

A. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS for the following months and the following amounts are now past due:

a) Number of Payments Delinquent:	4
b) Delinquent Amount Due:	\$1,838.80
c) Late Charges:	\$ 22.99
d) Recoverable Corporate Advances	\$ 175.00
e) Other Charges and Advances	\$ 0.0
f) Less funds in Suspense:	\$ 0.00
e) Total amount required as of (due date)	\$ 2,036.79

B. YOU HAVE FAILED TO TAKE THE FOLLOWING ACTION: (Do not use if not applicable)

HOW TO CURE THE DEFAULT - You may cure this default within THIRTY (30) days from the date of this letter **BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS \$ 2,036.79** PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES (and other charges) WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. **Payments must be made either by cashier's check, certified check, or money order made payable to:**

Regular Mail
HomEq Servicing Corporation
P.O. Box 96053 Charlotte, NC 28296-0053

Overnight
FUNB Lockbox 96053
1525 West W.T. Harris Blvd.
Charlotte, NC 28262-00

You can cure any other default by taking the following action within THIRTY (30) DAYS of the date of this letter: (Do not use if not applicable.)

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

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

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

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

IMPORTANT INFORMATION ON THE BACK OF THIS PAGE

EARLIEST POSSIBLE SHERIFF'S SALE DATE- It is estimated that the earliest date that such Sheriff's sale could be held is would be approximately five (5) months from the date of this Notice. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender.

HOW TO CONTACT THE LENDER BY TELEPHONE OR MAIL:

Name of Lender:	HomEq Servicing Corporation
Address:	P.O Box 13716
Telephone Number:	Sacramento, CA95853
Fax Number:	800 795-5125 Ext. 10302
	916-339-6910

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

ASSUMPTION OF MORTGAGE- You may not sell or transfer your home to a buyer or transferee who will assume the mortgage debt.

YOU MAY ALSO HAVE THE RIGHT

- TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT, OR BORROWER MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT.
- TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.
- TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THE RIGHT TO CURE YOUR DEFAULTS ANY MORE THAN THREE TIMES IN A CALENDAR YEAR).
- TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.
- TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.
- TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

THE CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY IS ATTACHED TO THIS LETTER

Sincerely,

HomEq Servicing Corporation

The Money Store

Pennsylvania Housing Finance Agency

Homeowner's Emergency Mortgage Assistance

Program

Consumer Credit Counseling Agencies

33

Clearfield County

Indiana County Community Action Program
827 Water Street, Suite 187
Indiana PA 15701
(724) 465-2657
Fax (724) 465-5118

Keystone Electronic Development Corp.
1954 Mary Grace Lane
Johnstown PA 15901
(814) 535-6556
Fax (814) 539-1688

Tableland Services, Inc.
535 East Main Street
Somerset PA 15501
(814) 445-9628 or 1-800-452-0148
Fax (814) 443-3690

CCCS of Western Pennsylvania
219-A College Park Plaza
Johnstown PA 15904
(814) 539-6335

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

CCCS of Northeastern Pennsylvania
Hamilton Square Plaza
State College PA 18801
(814) 238-3668
Fax (814) 238-3669

Richard M. Squire & Associates, LLC
By: Richard M. Squire, Esquire
ID No. 04267
One Jenkintown Station, Suite 104
115 West Avenue
Jenkintown, Pa 19046
Telephone: 215-886-8790
Fax: 215-886-8791
Attorneys for Plaintiff

The Bank of New York as trustee under the
Pooling and Servicing Agreement dated as of
February 28, 1998, series 1998-A
PLAINTIFF,

v.

M. Christine Lynn
Robert E. Lynn
1331 Treasure Lake
Dubois, PA 15801

DEFENDANTS.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

NO 01-1814-CD

CIVIL ACTION

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

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against Robert M. Lynn and M. Christine Lynn, Defendants for their 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 the Complaint	\$57,628.21
Interest from 10/23/01 to 12/31/01	\$ 975.66
TOTAL	\$58,603.87

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

FILED

JAN 07 2002
7:12:33 p.m. 20 pd by atty
William A. Shaw statement to atty
Prothonotary Notice to def's
no cc

Richard M. Squire
Richard M. Squire, Esquire
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE: 1-7-02

William A. Shaw
PROTHONOTARY

Richard M. Squire, , Esquire
I.D. No. 04267
Richard M. Squire & Associates, LLC.
One Jenkintown Station, Suite 104
115 West Avenue
Jenkintown, Pa 19046
Telephone: 215-886-8790
Fax: 215-886-8791
Attorneys for Plaintiff

**The Bank of New York as trustee under the
Pooling and Servicing Agreement dated as of
February 28,1998, series 1998-A,**

v.

**Court of Common Pleas
Civil Division
Columbia County**

**M. Christine Lynn
Robert E. Lynn
1331 Treasure Lake
Dubois, PA 15801**

No. 01-1814-CD

**To: Robert E Lynn
1331 Treasure Lake
Dubois, PA 15801**

DATE OF NOTICE: December 19, 2001

THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE.

IMPORTANT NOTICE

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 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:

**Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800)692-7375**

Richard M. Squire, Esquire
Attorney for Plaintiff

Richard M. Squire, Esquire
I.D. No. 04267
Richard M. Squire & Associates, LLC.
One Jenkintown Station, Suite 104
115 West Avenue
Jenkintown, Pa 19046
Telephone: 215-886-8790
Fax: 215-886-8791
Attorneys for Plaintiff

**The Bank of New York as trustee under the
Pooling and Servicing Agreement dated as of
February 28, 1998, series 1998-A,**

v.

**Court of Common Pleas
Civil Division
Columbia County**

**M. Christine Lynn
Robert E. Lynn
1331 Treasure Lake
Dubois, PA 15801**

No. 01-1814-CD

**To: M. Christine Lynn
1331 Treasure Lake
Dubois, PA 15801**

DATE OF NOTICE: December 19, 2001

THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE.

IMPORTANT NOTICE

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 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:

**Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800)692-7375**

Richard M. Squire, Esquire
Attorney for Plaintiff

Richard M. Squire & Associates, LLC
By: Richard M. Squire, Esquire
One Jenkintown Station, Suite 104
115 West Avenue
Jenkintown, Pa 19046
Telephone: 215-886-8790
Fax: 215-886-8791
Attorneys for Plaintiff

The Bank of New York as trustee under the
Pooling and Servicing Agreement dated as of
February 28, 1998, series 1998-A
PLAINTIFF,

v.

M. Christine Lynn
Robert E. Lynn
1331 Treasure Lake
Dubois, PA 15801

DEFENDANTS

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

NO 01-1814-CD

CIVIL ACTION

VERIFICATION OF NON-MILITARY SERVICE

Richard M. Squire, 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 Defendants Robert M. Lynn and M. Christine Lynn are over 18 years of age and reside at 1331 Treasure Lake, Dubois, PA 15801.

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

Richard M. Squire
Richard M. Squire, Esquire
Attorney for Plaintiff

Office of the
PROTHONOTARY
Clearfield County
230 E. Market Street
Clearfield, PA 16830
(814)765-2641

COPY

Date 1-7-02

The Bank of New York as trustee under the
Pooling and Servicing Agreement dated as of
February 28,1998, series 1998-A

PLAINTIFF,

v.

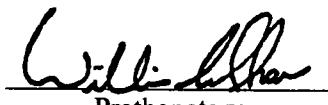
M. Christine Lynn
Robert E. Lynn
1331 Treasure Lake
Dubois, PA 15801

DEFENDANTS.

NOTICE

TO: Robert E Lynn
1331 Treasure Lake
Dubois, PA 15801

Pursuant to requirements of Pennsylvania Rules of Civil Procedure, Rule 236, notice is hereby given that
on 1-7-02, a judgment(decrees)(order) was entered against you in this office in the
proceeding as indicated above. In the amount of \$58,603.87.



Prothonotary

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

JAN 07 2002

Deputy Prothonotary

Attest.



Prothonotary

Date Mailed: 1-7-02

COPY

Office of the
PROTHONOTARY
Clearfield County
230 E. Market Street
Clearfield, PA 16830
(814)765-2641

Date 1-7-02

The Bank of New York as trustee under the
Pooling and Servicing Agreement dated as of
February 28, 1998, series 1998-A

PLAINTIFF,

v.

M. Christine Lynn
Robert E. Lynn
1331 Treasure Lake
Dubois, PA 15801

DEFENDANTS

NOTICE

TO: M. Christine Lynn
1331 Treasure Lake
Dubois, PA 15801

Pursuant to requirements of Pennsylvania Rules of Civil Procedure, Rule 236, notice is hereby given that
on 1-7-02, a judgment(decrees)(order) was entered against you in this office in the
proceeding as indicated above. In the amount of \$58,603.87.



Prothonotary

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

JAN 07 2002

Attest.



William S. Mann
Prothonotary

Deputy Prothonotary

Date Mailed: 1-7-02

COPY

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

Bank of New York, The
Plaintiff(s)

No.: 2001-01814-CD

Real Debt: \$58,603.87

Atty's Comm:

Vs.

Costs: \$

Int. From:

M. Christine Lynn
Robert E. Lynn
Defendant(s)

Entry: \$20.00

Instrument: Judgment

Date of Entry: January 7, 2002

Expires: January 7, 2007

Certified from the record this 7th day of January, 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

Richard M. Squire, Esquire
I.D. No. 04267
One Jenkintown Station, Suite 104
115 West Avenue
Jenkintown, Pa 19046
Telephone: 215-886-8790
Fax: 215-886-8791
Attorneys for Plaintiff

The Bank of New York as trustee under
the Pooling and Servicing Agreement
dated as of February 28, 1998, series
1998-A

PLAINTIFF,

v.

M. Christine Lynn
Robert E. Lynn

DEFENDANTS.

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 01-1814-CD

CIVIL ACTION

MORTGAGE FORECLOSURE

PRAECIPE FOR WRIT OF EXECUTION

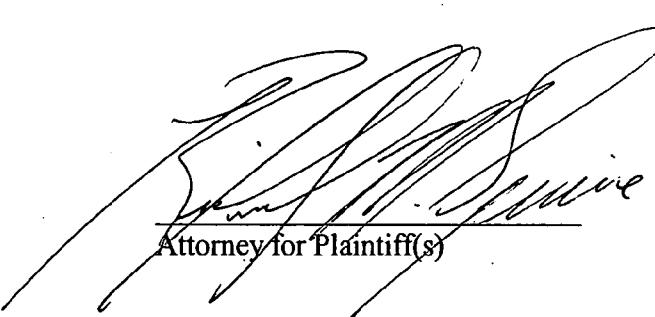
(Mortgage Foreclosure)

To the Prothonotary:

Issue Writ of Execution in the above matter.

Amount Due	\$58,603.87
Interest From 01/07/02 to Date of Sale	\$ _____
@ \$14.14 per diem	\$ _____
* plus fees and costs	

Dated 8/27/02


Attorney for Plaintiff(s)

FILED

AUG 27 2002

M/q:40atty Squire pd 20.00
William A. Shaw 6 Writs Sheriff
Prothonotary
SAC
REB

No.01-1814-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
The Bank of New York,

v.

M. Christine Lynn
1331 Treasure Lake
Dubois, PA 15801

Robert E. Lynn
1331 Treasure Lake
Dubois, PA 15801

Defendant.

PRAECLPTE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed: _____

Richard M. Squire, Esquire
Richard M. Squire & Associates, LLC
One Jenkintown Station, Suite 104
1115 West Avenue
Jenkintown, Pa 19046
(215) 886-8790 Fax (215) 886-8791
Attorneys for Plaintiff

Attorney for Plaintiff(s)

Richard M. Squire, Esquire
I.D. No. 04267
One Jenkintown Station, Suite 104
115 West Avenue
Jenkintown, Pa 19046
Telephone: 215-886-8790
Fax: 215-886-8791
Attorneys for Plaintiff

COPY

The Bank of New York as trustee under
the Pooling and Servicing Agreement
dated as of February 28, 1998, series
1998-A

PLAINTIFF,

v.

M. Christine Lynn
Robert E. Lynn

DEFENDANTS.

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 01-1814-CD

CIVIL ACTION

MORTGAGE FORECLOSURE

WRIT OF EXECUTION
(Mortgage Foreclosure)

COMMONWEALTH OF PENNSYLVANIA:
COUNTY OF CLEARFIELD:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

(See attached legal description)

AMOUNT DUE \$58,603.87

INTEREST FROM 01/07/02 to Date of Sale \$
@14.14 per diem, plus fees and costs \$
Prothonotary Costs: \$ 269.19

PROTHONOTARY

Seal of Court

BY:

J. Kendrick
Deputy Prothonotary

Date August 27, 2002

Term No. 01-1814-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
The Bank of New York
Plaintiff,

v.

M. Christine Lynn
1331 Treasure Lake
Dubois, PA 15801

Robert E. Lynn
1331 Treasure Lake
Dubois, PA 15801

Defendant.

WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed: August 27, 2002

Richard M. Squire, Esquire
Richard M. Squire & Associates, LLC
One Jenkintown Station, Suite 104
115 West Avenue
Jenkintown, Pa 19046
(215) 886-8790 Fax (215) 886-8791
Attorneys for Plaintiff

1331 Treasure Lake
Dubois, PA 15801

DESCRIPTION

ALL THAT CERTAIN tract of land designated as Lot No. 791, Section NO. 15, "Bimini" in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25.

EXCEPTING AND RESERVING THEREFROM AND SUBJECT TO: 1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan. 2. The Declaration of Restrictions, Treasure Lake, Inc., recorded in Misc. Book Volume 146, Page 476; all of said restrictions being covenants, which run with the land. 3. All minerals and mining rights of every kind and nature. 4. A lien for all unpaid charges or assessments as may be made by Grantors or Treasure Lake Property Owners Association, Inc., which lien shall run with the land and be an encumbrance against it.

Parcel ID# 128-C03-015-00791-00-21

11/18/02
2002-1318-87-00
11/18/02

FILED

NO CC

NOV 18 2002
3131
EAT

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11721

THE BANK OF NEW YORK

01-1814-CD

VS.

LYNN, M. CHRISTINE & ROBERT E.

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW NOVEMBER 16, 2001 DAVE VORE, SHERIFF OF MONTGOMERY COUNTY, OHIO WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON M. CHRISTINE LYNN AND ROBERT E. LYNN, DEFENDANTS.

NOW NOVEMBER 28, 2001 SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON M. CHRISTINE LYNN AND ROBERT E. LYNN, DEFENDANTS BY DEPUTIZING THE SHERIFF OF MONTGOMERY COUNTY, OHIO. THE RETURNS OF SHERIFF VORE ARE HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT BOTH COPIES WERE SERVED ON M. CHRISTINE LYNN.

Return Costs

Cost	Description
-------------	--------------------

63.85 SHFF. HAWKINS PAID BY: ATTY.

65.34 SHFF. MONTGOMERY CO., OHIO PAID BY: *atlg*

20.00 SURCHARGE PAID BY: ATTY.

FILED

JAN 09 2002

**01/09/02
William A. Shaw
Prothonotary**

Sworn to Before Me This

9th Day Of January 2002
W. A. Shaw

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

So Answers,

*Chester A. Hawkins
by Marilyn Harris*
**Chester A. Hawkins
Sheriff**



MONTGOMERY COUNTY SHERIFF'S OFFICE

AFFIDAVIT OF SERVICE OF PROCESS

MONTGOMERY COUNTY SHERIFF'S OFFICE
SHERIFF DAVE VORE

Dave Vore, Sheriff
330 West Second Street
P.O. Box 972
Dayton, OH 45422-2427

CASE NO.: 011814CD

PERSONAL SERVICE ON: LYNN, CHRISTINE M

SERVED AT: 7817 TROWBRIDGE WAY, DAYTON OHIO

DATE SERVED: 11-28-2001

COMMENTS: I DECLARE THAT I AM A CITIZEN OF THE U.S., OVER THE AGE OF 18, NOT A PARTY TO THIS ACTION AND I RESIDE WITHIN THE BOUNDARIES OF THE STATE WHERE SERVICE WAS ATTEMPTED. I AM AUTHORIZED BY LAW TO PERFORM SAID SERVICE. I DECLARE THAT UNDER PENALTY OF PERJURY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT AND THIS AFFIDAVIT WAS EXECUTED ON:

DATE: 11-29-2001

IN SAID MONTGOMERY COUNTY
STATE OF OHIO

SERVED BY:

144

Dep. R. Douglass

SHERIFF DAVE VORE
SHERIFF OF MONTGOMERY
COUNTY, DAYTON OHIO

NOTARY:

Patricia A. Groves

PATRICIA A. GROVES

SEAL

PATRICIA A. GROVES, Notary Public
In and for the State of Ohio
My Commission Expires April 20, 2004





MONTGOMERY COUNTY SHERIFF'S OFFICE

AFFIDAVIT OF SERVICE OF PROCESS

MONTGOMERY COUNTY SHERIFF'S OFFICE
SHERIFF DAVE VORE

Dave Vore, Sheriff
330 West Second Street
P.O. Box 972
Dayton, OH 45422-2427

CASE NO.: 011814CD

RESIDENCE SERVICE ON: LYNN, ROBERT E

BY SERVING: MS CHRISTINE LYNN

SERVED AT: 7817 TROWBRIDGE WAY, DAYTON OH

DATE SERVED: 11-28-2001

COMMENTS: I DECLARE THAT I AM A CITIZEN OF THE U.S., OVER THE AGE OF 18, NOT A PARTY TO THIS ACTION AND I RESIDE WITHIN THE BOUNDARIES OF THE STATE WHERE SERVICE WAS ATTEMPTED. I AM AUTHORIZED BY LAW TO PERFORM SAID SERVICE. I DECLARE THAT UNDER PENALTY OF PERJURY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT AND THIS AFFIDAVIT WAS EXECUTED ON:

DATE: 11-29-2001

IN SAID MONTGOMERY COUNTY
STATE OF OHIO

SERVED BY: *Dps R. Doglass*
144 *Dep R. Doglass*

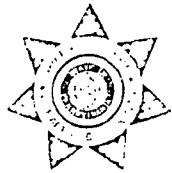
SHERIFF DAVE VORE
SHERIFF OF MONTGOMERY
COUNTY, DAYTON OHIO

NOTARY: *Patricia A. Groves*

PATRICIA A. GROVES

SEAL
PATRICIA A. GROVES, Notary Public
In and for the State of Ohio
My Commission Expires April 20, 2004





Sheriff's Office Clearfield County

OFFICE (814) 765-2641
AFTER 4:00 P.M. (814) 765-1533
CLEARFIELD COUNTY FAX
(814) 765- 5915

CHESTER A. HAWKINS
SHERIFF

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

DARLENE SHULTZ
CHIEF DEPUTY
MARGARET PUTT
OFFICE MANAGER

MARILYN HAMM
DEPT. CLERK
PETER F. SMITH
SOLICITOR

5

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE BANK OF NEW YORK

TERM & NO. 01-1814-CD

vs

SERVE-BY: 12/1/01

M. CHRISTINE LYNN &
ROBERT E. LYNN

OR
HEARING DATE:

DOCUMENT TO BE SERVED:

COMPLAINT IN MORTGAGE FORECLOSURE

MAKE REFUND PAYABLE TO:

SEND BILL FOR YOUR COSTS & MAIL RETURN TO: CLEARFIELD
COUNTY SHERIFF, 1-N-2nd-Street, Suite 116, Clearfield, Pa.

SERVE: ROBERT E. LYNN *R* (SERVE PERSONALLY OR ADULT AT RESIDENCE)

ADDRESS: 8918 Trowbridge Way, Huber Heights, Ohio 45424

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF of MONTGOMERY County, Ohio ~~Pennsylvania~~ to execute this writ.

This Deputation being made at the request and risk of the Plaintiff this 16th day of NOVEMBER 2001.

MONTGOMERY COUNTY
SHERIFF'S OFFICE

2001 NOV 20 PM 1:30

Respectfully,

Chester A. Hawkins
CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY

RECEIVED

THE LAW OFFICE OF MICHAEL J. MILSTEAD, LLC

By: Eric Meth, Esquire

Attorney ID#59439

325 New Albany Road

Moorestown, NJ 08057

(856) 222-1508

Attorneys for Plaintiff

THE BANK OF NEW YORK as trustee under the Pooling : COURT OF COMMON PLEAS
and Servicing Agreement dated as of February 28, 1998 : CLEAFIELD COUNTY
Series 1998-A :
:

Plaintiff :
:

vs. : NO.:01-1814-CD
:

M. CHRIATINE LYNN AND : AMENDED
ROBERT E. LYNN : AFFIDAVIT PURSUANT TO
: RULE 3129.1
:

Defendants :
:

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CLEARFIELD :
:

**The Bank of New York, as trustee under the Pooling and Servicing
Agreement dated as of February 28, 1998, Series 1998-A,** Plaintiff in the above entitled cause
of action, sets forth as of the date the Praeclipe for Writ of Execution was filed the following
information concerning the real property located at 1331 Treasure Lake, Dubois, PA 15801:

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

M. Christine Lynn
Robert E. Lynn
8918 Trowbridge Way
Huber Heights, OH 45424

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

M. Christine Lynn
Robert E. Lynn
8918 Trowbridge Way
Huber Heights, OH 45424

FILED

DEC 23 2002

William A. Shaw
Prothonotary

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

The Bank of New York, as trustee under the Pooling and Servicing Agreement dated as of February 28, 1998, Series 1998-A
(Plaintiff herein)
20 Broad Street
New York, NY 10005

Domestic Relations
230 Market Street
Clearfield, PA 16830

Commonwealth of PA, Dept of Revenue
Bureau of Compliance, Clearance Support
Section, Dept. 280946
Harrisburg, PA 17128-0946

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

The Bank of New York, as trustee under the Pooling and Servicing Agreement dated as of February 28, 1998, Series 1998-A
(Plaintiff herein)
20 Broad Street
New York, NY 10005

GMAC Mortgage Corporation
100 Witmer Road
Horsham, PA 19044

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

None known.

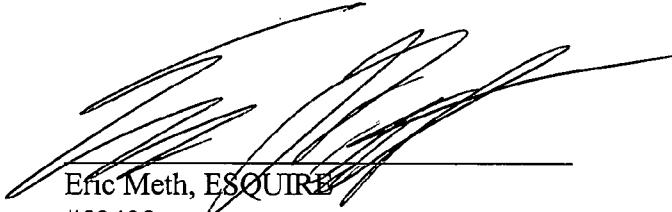
6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the sale:

Occupant, 1331 Treasure Lake
Dubois, PA 15801

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

Occupant, 1331 Treasure Lake
Dubois, PA 15801

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



Eric Meth, ESQUIRE
#59439

Sworn and Subscribed to before

me this 17th day of December ,

2002.



Dawn Hoffman

DAWN HOPPMAN
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 1/9/2007

A T
PUC

FILED NO
cc
m110-55674
SAC

DEC 23 2002

William A. Shaw
Prothonotary

THE LAW OFFICE OF MICHAEL J. MILSTEAD, LLC

By: Eric Meth, Esquire

Attorney ID#59439

325 New Albany Road

Moorestown, NJ 08057

(856) 222-1508

Attorneys for Plaintiff

THE BANK OF NEW YORK, as trustee under the : COURT OF COMMON PLEAS
Pooling and Servicing Agreement dated as of : CLEARFIELD COUNTY

February 28, 1998, Series 1998-A

Plaintiff

:

:

vs. : No.: 01-1814-CD

:

M. CHRISTINE LYNN

: AFFIDAVIT PURSUANT TO

ROBERT E. LYNN

: RULE 3129.2

Defendant

:

COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF CLEARFIELD)

I, Eric Meth, Esquire, of full age, being duly sworn according to law, upon
my oath, depose and say:

1. I am a member of the firm of Michael J. Milstead, LLC, attorney for the Plaintiff in
the above entitled cause of action.

2. On October 9, 2002, a copy of the Notice of Sheriff's Sale of Real Property was served
on the defendants, M. Christine Lynn and Robert E. Lynn by certified mail, return receipts
requested. Copies of the certified cards are attached hereto and made a part hereof as Exhibit A.

3. On or about September 27, 2002, a Notice of Sheriff's Sale was sent on all lien
holders of record and interested parties by registered mail, return receipt requested. Copies of

the proof of mailings are attached hereto and made a part hereof as Exhibit "B"

4. A Notice of Intention to Foreclose Mortgage/Notice of Homeowners Emergency was
mailed to the defendant by certified and regular mail on August 30, 2001.

FILED
M 1:38 PM 2002
DEC 20 2002
William A. Shaw
Prothonotary

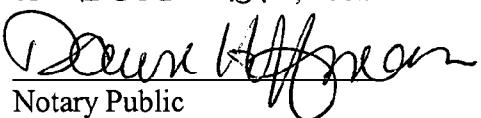
Law Office of Michael J. Milstead, LLC

Eric Meth, Esquire
#59439

Sworn and Subscribed to

before me this 17th Day

of December, 2002


Dawn Hoffman

Notary Public

DAWN HOFFMAN
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 1/9/2007

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

M. Christine Lynn
8918 Trowbridge Way
Huber Heights, OH 45424

2. Article Number

(Transfer from s) 7001 1940 0000 4051 4028

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-2509

COMPLETE THIS SECTION ON DELIVERY**A. Signature**

X *Christine Lynn* Agent Addressee

B. Received by (Printed Name)**C. Date of Delivery**

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

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

4. Restricted Delivery? (Extra Fee) Yes**SENDER: COMPLETE**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Robert S. Lynn
8918 Trowbridge Way
Huber Heights, OH 45424

EVERY Agent Addressee**B. Received by (Printed Name)****C. Date of Delivery**

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

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

4. Restricted Delivery? (Extra Fee) Yes**2. Article Number**

(Transfer from s) 7001 1940 0000 4051 4028

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-2509

NAME AND ADDRESS OF SENDER

Richard M. Squire & Associates
1115 West Avenue, Suite 104
Jenkintown, PA 19046

INDICATE TYPE OF MAIL

CHECK APPROPRIATE BOXES

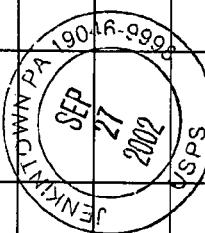
SILVERMAN

With Postal Insurance
Without Postal Insurance
Registered Mail:

POSTMARK AND DATE OF RECEIPT

MARK AND DATE OF RECEIPT
Affix stamp here if issued as certificate of mailing
or for additional copies of this bill.

MAILING AND RECEIPT RECORD										
POSTMASTER RECEIPT										
AFFIX STAMP HERE IF ISSUED AS CERTIFICATE OF MAILING OR FOR ADDITIONAL COPIES OF THIS BILL.										
Line	Number of Article Holders	Name of Addressee, Street, and Post-Office Address		Postage		Handling Charge		R.R. Fee		
		Insured	COD	Express Mail	Fee	Fee	Fee	Act. Value (If Regis.)	Insured Value	Sender If C.O.D.
1	Lynn, lien holders	Commonwealth of PA Dept of Revenue Dept of Revenue 280946 Harrisburg, PA 17128-0946								Remarks
2		Tenant/Occupant 1331 Treasure Lake Dubois, PA 15801								
3		Domestic Relations 230 E. Market Street Clearfield, PA 16830								
4		GMAC Mortgage Corporation 100 Witmer Road Horsham, PA 19044								
5										
6										
7										
8										
9										
10										
11										
12										
13										
TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE										P B
POSTMASTER, PER (Name of receiving employee)										6 5 8
TOTAL NUMBER OF PIECES LISTED BY SENDER										6 4
THE FULL DECLARATION OF VALUE IS REQUIRED ON ALL DOMESTIC AND INTERNATIONAL REGISTERED MAIL. THE MAXIMUM INDEMNITY PAYABLE FOR NONNEGOTIABLE DOCUMENTS UNDER EXPRESS MAIL DOCUMENT RECONSTRUCTION INSURANCE IS \$50,000 PER PIECE SUBJECT TO A LIMIT OF \$50,000 PER OCCURRENCE. THE MAXIMUM INDEMNITY PAYABLE ON EXPRESS MAIL MERCHANDISE INSURANCE IS \$500. THE MAXIMUM INDEMNITY PAYABLE IS \$25,000 FOR REGISTERED MAIL, \$500 FOR COD AND \$500 FOR INSURED MAIL. SPECIAL HANDLING CHARGES APPLY ONLY TO THIRD- AND FOURTH-CLASS PARCELS. SPECIAL DELIVERY SERVICE AND SPECIAL HANDLING SERVICE.										6



POSTMASTER, PER
(Name of receiving employee)

B 6581 The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50.00 per piece subject to a limit of \$500.00 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$5,000 for Registered Mail, \$500 for COD and \$500 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service and includes special handling service.

FOR REGISTERED, INSURED, C.O.D., CERTIFIED AND EXPRESS MAIL

PS FORM 3877

FILED

DEC 20 2002

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13071

THE BANK OF NEW YOUR ET AL

01-1814-CD

VS.

LYNN, M. CHRISTINE

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

FILED
01358-01
MAR 10 2003
NO CC
LEM

A SALE DATE OF NOVEMBER 1, 2003 WAS SET.

William A. Shaw
Prothonotary

NOW, OCTOBER 08, 2002 @ 10:40 A.M. A LEVY WAS TAKEN ON THE PROPERTY
OF THE DEFENDANTS. THE PROPERTY WAS ALSO POSTED THIS DATE.

NOW, OCTOBER 8, 2002 CALLED ATTORNEY TO INFORM THEM SERVICE NOT MADE
WITHIN THE 30 DAYS.

NOW, OCTOBER 8, 2002 RECEIVED FAX FROM PLAINTIFF ATTORNEY TO POSTPONE
SALE TO JANUARY 10, 2003.

NOW, JANUARY 2, 2003 CALLED ATTORNEY FOR STATUS OF SALE AND WAS
INFORMED BY ATTORNEY THAT THEY HAD SERVED DEFENDANTS BY CERTIFIED
AND REGULAR MAIL AND THAT WAS GOOD SERVICE. INFORMED ATTORNEY THAT
I NEEDED COPY OF SERVICE FOR OUR FILES.

NOW, JANUARY 2, 2003 RECEIVED A FAX FROM ATTORNEY OFFICE SHOWING
THE DEFENDANTS WERE SERVED NOTICE OF SALE BY REGULAR AND CERTIFIED
MAIL TO FOLLOWING ADDRESS 8918 TROWBRIDGE WAY, HUBER HEIGHTS, OH 45424
WHICH WAS NEVER PROVIDED TO THIS OFFICE UNTIL JANUARY 2, 2003.

NOW, JANUARY 10, 2003 A SALE WAS HELD ON THE PROPERTY OF THE
DEFENDANTS.

THE PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR \$1.00 + COSTS.

JANUARY 27, 2002 BILLED THE ATTORNEY FOR COST DUE.

NOW, FEBRUARY 14, 2003 RECEIVED CHECK FROM ATTORNEY FOR COSTS.

NOW, MARCH 10, 2003 PAID COSTS FROM ADVANCE AND ATTORNEY CHECK.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13071

THE BANK OF NEW YOUR ET AL

01-1814-CD

VS.

LYNN, M. CHRISTINE

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

**NOW, MARCH 10, 2003 RETURNED WRIT AS SALE BEING HELD ON THE PROPERTY
OF THE DEFENDANTS. PROPERTY PURCHASED BY THE PLAINTIFF FOR \$1.00 +
COSTS.**

NOW, MARCH 10, 2003 DEED FILED

SHERIFF HAWKINS \$230.14

SURCHARGE \$40.00

PAID BY ATTORNEY

Sworn to Before Me This

10th Day Of May 2003

William A. Shaw

Prothonotary

My Commission Expires

1st Monday in Jan. 2006

Clearfield Co., Clearfield, PA

So Answers,

Chester Hawkins
By Anthony Butter - Deputy Sheriff

Chester A. Hawkins

Sheriff

Richard M. Squire, Esquire
I.D. No. 04267
One Jenkintown Station, Suite 104
115 West Avenue
Jenkintown, Pa 19046
Telephone: 215-886-8790
Fax: 215-886-8791
Attorneys for Plaintiff

The Bank of New York as trustee under
the Pooling and Servicing Agreement
dated as of February 28, 1998, series
1998-A

PLAINTIFF,

v.

M. Christine Lynn
Robert E. Lynn

DEFENDANTS.

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 01-1814-CD

CIVIL ACTION

MORTGAGE FORECLOSURE

WRIT OF EXECUTION
(Mortgage Foreclosure)

COMMONWEALTH OF PENNSYLVANIA:
COUNTY OF CLEARFIELD:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

(See attached legal description)

AMOUNT DUE \$58,603.87

INTEREST FROM 01/07/02 to Date of Sale \$_____

@14.14 per diem, plus fees and costs \$_____

Prothonotary Costs: \$ 269.19

PROTHONOTARY

Seal of Court

BY:

J. Kendrick
Deputy Prothonotary

Date August 27, 2002

Received 8/27/02 @ 10:10 am
Chester A. Hawkins
by Cynthia Butler-Aughenbaugh

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
The Bank of New York
Plaintiff,

v.

M. Christine Lynn
1331 Treasure Lake
Dubois, PA 15801

Robert E. Lynn
1331 Treasure Lake
Dubois, PA 15801

Defendant.

WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed: August 27, 2002

Richard M. Squire, Esquire
Richard M. Squire & Associates, LLC
One Jenkintown Station, Suite 104
115 West Avenue
Jenkintown, Pa 19046
(215) 886-8790 Fax (215) 886-8791
Attorneys for Plaintiff

1331 Treasure Lake
Dubois, PA 15801

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME LYNN NO. 01-1814-CD

NOW, January 10, 2003 , 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 10TH day of JANUARY 2003, I exposed the within described real estate of M. CHRISTINE LYNN AND ROBERT E. LYNN to public venue or outcry at which time and place I sold the same to THE BANK OF NEW YORK, as trustee under the Pooling and Serving Agreement dated as of February 29, 1998, series 1998-A 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	4.44
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES/BILLING	15.00
	5.00
BILLING/PHONE/FAX	10.00
TOTAL SHERIFF COSTS	230.14

DEED COSTS:

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

DEBIT & INTEREST:

DEBT-AMOUNT DUE	58,603.87
INTEREST FROM 1/7/02 PER DIEM @ \$14.14	
TO BE ADDED TO SALE DATE	
TOTAL DEBT & INTEREST	58,603.87
COSTS:	
ATTORNEY FEES	
PROTH. SATISFACTION	
ADVERTISING	702.81
LATE CHARGES & FEES	
TAXES - collector	1,293.16
TAXES - tax claim	1,185.51
DUE	
COST OF SUIT -TO BE ADDED	
LIEN SEARCH	100.00
FORCLOSURE FEES/ESCROW DEFICIT	
ACKNOWLEDGEMENT	5.00
DEED COSTS	28.50
ATTORNEY COMMISSION	
SHERIFF COSTS	230.14
LEGAL JOURNAL AD	153.00
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
PROTHONOTARY	269.19
MORTGAGE SEARCH	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
MUNICIPAL LIEN	
TOTAL COSTS	4,007.31

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

RICHARD M. SQUIRE AND ASSOCIATES, LLC

ATTORNEYS AT LAW

Offices In Pennsylvania And New Jersey

Richard M. Squire *

Eric F. Squire‡

John M. Crockett **

Stephen V. Yarnell

† Admitted in CA
Also Admitted in MD
** Admitted in NJ

Pamela S. Fouch,
Senior Paralegal

One Jenkintown Station, Suite 104

115 West Avenue

Jenkintown, Pa 19046

Tel 215 886-8790

Fax 215-886-8791

email: squirelaw@aol.com

New Jersey Office

66 Wildcat Branch Dr.

Sicklerville, NJ 08081

Tel 610-766-0296

John M. Crockett,
Resident Managing Attorney

October 8, 2002

Sheriff of Clearfield County
Real Estate Division
Attn: Cindy
230 E. Market Street
Clearfield, PA 16830

**Re: The Bank of New York vs. M. Christine Lynn and Robert E. Lynn
01-1814-CD
Sheriff Sale**

Dear Cindy:

Please postpone the sheriff sale that is scheduled for November 1, 2002 until the January 10, 2003 Sheriff sale. The Plaintiff needs time to properly serve the defendants with the Notice of Sale.

Of course, should you have any questions please feel free to contact the undersigned.

Thank you very much.

Very truly yours,

RICHARD M. SQUIRE & ASSOCIATES



Thomas G. Barnes
Foreclosure Specialist

/tgb
Enclosures